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Proceedings
OF THE
ROCHESTER CONFERENCE
FOR
Good City Government
AND
SEVENTH ANNUAL MEETING
OF THE
NATIONAL MUNICIPAL LEAGUE

HELD MAY 8, 9, 10, 1901

At Rochester, N. Y.

CLINTON ROGERS WOODRUFF, EDITOR

PHILADELPHIA
NATIONAL MUNICIPAL LEAGUE
1901

Dec. 14, 1931

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PHILADELPHIA

PREFACE.

A considerable portion of the present volume of Proceedings is devoted to a description of recent municipal events. This return to our former practice has been rendered inevitable by the rapid development of the last few years. The situation has changed so much since our first set of descriptive papers was published, that while they have a decided historical value, they fail to portray the present conditions.

The constructive side of the League's work, however, has been in nowise overlooked or neglected. On the contrary, the reports of the Committees on Instruction in Municipal Government in American Educational Institutions and Uniform Municipal Accounting and Statistics represent important contributions to the forward movement in municipal affairs. President Drown's report with the accompanying paper of Dr. Young, the syllabi, the outlines and bibliography while only constituting a tentative and preliminary report, have been influential in arousing a very general interest in American colleges and universities in the subject of municipal government. Republished in pamphlet form, they have been widely circulated and commented upon. Judging from the correspondence resulting from this distribution in pamphlet form, the Committee's work is destined to have a decided influence in securing more widespread instruction in the subject.

The report of the Committee on Uniform Municipal Accounting and Statistics, presented by Dr. Hartwell, the city statistician of Boston, has also been published in pamphlet form and has been successful in stimulating interest. The suggestions of the Committee have been adopted in several cities and will most likely be accepted in still others during the coming fall. Chicago is now remodeling its system of bookkeeping and accounts, and is likely to adopt all the schedules and rubrics recommended. This when accomplished, will constitute one of the most striking tributes thus far paid to the League's usefulness and in which we take pardonable pride.

There has been no cessation in the use of the Municipal Program by members of the Constitutional Conventions, by Charter Commissions and by individual students. It has become an accepted authority and standard on the subject. It is expected that the reports of the two Committees now at work will prove to be similarly useful. The personnel of the Committees and their preliminary reports justify this expectation. If they should do nothing further than that which they have already done, their labors will not have been in vain.

This volume is presented to the members and subscribers with the hope that it will prove as helpful as its predecessors in stimulating public opinion in the direction of higher municipal standards.

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PROCEEDINGS
OF THE
Seventh Annual Meeting
OF THE
National Municipal League
AND
Ninth National Conference for Good City Government
HELD AT
Rochester, N. Y., May 8, 9 and 10, 1901.

CHAMBER OF COMMERCE ROOMS,

Rochester, May 8, 1901, 3.00 p. m.

The Seventh Annual Meeting of the National Municipal League was called to order by the First Vice-President, Mr. Charles Richardson of Philadelphia, in the absence of President Carter.

VICE-PRESIDENT RICHARDSON: I regret exceedingly that the President has not as yet arrived, but he will be here some time during the afternoon, and will preside at the morning session. Before proceeding with the regular order of the program, we will have the pleasure of hearing from the Mayor of the city of Rochester, the Hon. George F. Carnahan.

MAYOR CARNAHAN: *Mr. President, Ladies and Gentlemen, and Members of the League:*—I am here at this first meeting of the Municipal League to listen and learn, but I am also here in my official capacity; and it is with great pleasure that I come here and extend to you a warm welcome to our city, and express the hope that your deliberations here will be crowned with success, and that your visit will be a pleasant and profitable one.

May I not say, in welcoming the National Municipal League to Rochester, that as an organization it enjoys a most enviable distinction? There are innumerable societies which expend time, energy and devotion upon the church, the club, the home, the political party, but there are few societies devoted solely to the public good, and this is one of the few. When one realizes that the success of the future American city life depends

upon the creation of new civic standards and new city ideals, thought of the possible beneficial influences which this organization may send forth at once arouses enthusiasm.

Our cities are the products of modern industrialism, and their rapid growth has but kept pace with that momentous change that has taken place in industry during the latter part of the century just closed, whereby it has ceased to be individual and has become organized. Vast populations congregate about the centres of production and exchange, little thinking why they come, and not yet fully understanding the heavy duty to the community that rests upon the individual.

Some day, through the efforts of such organizations as this League, we hope that the people will gain a new concept of municipal activity; will realize that the community may not make social progress, although the individual may be satisfied with his home and his business success, and that the individual cannot make social progress, unless his surroundings, furnished by the community, are constantly improving. When that time does come the public will not tolerate methods of action which are now regarded with indifference. The community will take concerted action to realize the best conditions in clean and healthful and beautiful streets, parks and recreation grounds, in remodeled tenement-houses and imposing public buildings. A new sensitiveness will be developed. And, finally, the public service of water, gas, light and railway transportation will be viewed in the light of their social function and not solely as private enterprises. Either through municipal operation or effective public control, all possible benefits from the administration of these servants will be conferred upon the people at large, regardless of the interests of the private corporations, and the environment of the community will be improved by just so much as the people have a direct voice in the management of those public services which so closely affect them in their daily city life.

We cannot hope to establish an intense, strenuous city life and attain definite civic standards and ideals in a moment. But we, in Rochester, think we have made some progress and claim the attention of this Conference for our work, some of which, at least, measures up towards the standards set up by this League.

By the grace of the legislature, and through the intelligent efforts of Senator Horace White, of Syracuse, we last year got a new charter for cities of the second class. It is built up on the two principles of home rule and fixed responsibility. The Court of Appeals of this state has lately declared, in plain and unmistakably terms, in construing the charter, that the principle of fixed responsibility is embodied in it. Whatever may be the merits of the charter in that respect, we have it. But I can say unhesitatingly that the White Charter, as it is called, is in itself immeasurably superior to that hodge-podge of special laws, indulgently called a charter, of which the leading feature was inability to fix responsibility. Whether we shall maintain the advances made by that instrument still

remains a question, and depends upon whether the twin principle of home rule can be preserved intact.

In the past the degree of home rule enjoyed by the city of Rochester has been in proportion to the obliviousness of the Legislature. Whenever there was a personal end to serve or a political gain to be acquired the city charter was adapted to suit the desire, regardless of good government. Two Legislatures have come and gone since we commenced living under the White Charter, and already there are indications that the tender, solicitous care of the Legislature for the welfare of the cities is returning. Already there is evidence that the few champions of the Charter in the Legislature can be sand-bagged by their log-rolling colleagues and the design of the Charter ripped up with ease and dispatch, to serve and satisfy personal or political ends.

We commenced work under the White Charter January 1, 1900, and were at once confronted with a floating indebtedness amounting to \$276,000, incurred by the previous administration, over \$200,000 of which was actual deficiencies of the retiring city government. The first tax levy had to provide for the payment of that debt, and was besides necessarily experimental because the work was being done under new conditions. At the end of the year the books showed a credit balance of \$250,000. The tax rate has been reduced this year to \$15.65 per \$1,000 of assessed valuation, the lowest, with the exception of one year, in ten years, and the actual expenditures for the two years will have been less than for any series of two years for a considerable time back, although the city has been steadily growing and legitimate expenses steadily increasing. These results have been attained by abolishing unnecessary places; by ungrudging observance of the civil-service rules; by rigid adherence to law in the letting of contracts; by a uniform system of purchases, honestly followed; by economical administration in general; and by diligent collection of the city's revenues. Claims of the city for water rents have not been rebated as a matter of favor; we have established the principle that the Common Council cannot without reason reduce assessments and cancel taxes, thus taking money out of the pockets of other taxpayers; we have vindicated the right of taxpayers and property owners to determine the kind of pavement with which their streets shall be improved, and we have broken combinations of contractors seeking to worst the city.

Perhaps the most notable progress is shown in the Department of Public Instruction, governed by an independent Commission of five. Strange as it may seem, the last bulwarks of incompetent administration were in the schools. Public sentiment had assaulted and taken the intrenchments everywhere else with varying results, but the schools, ruled by a Commission, made up of one elective commissioner from each ward, were thrown inevitably and irrevocably into the vortex of ward politics. Last year and this the schools have been run for the purpose of training the minds of the children of Rochester, and in a manner not to waste public money.

In the methods of purely educational work an intelligent and progressive supervision has taken the place of incompetency and inactivity. In the expenditure of money a business system has been perfected by ruthlessly cutting off political excrescences and getting value for every dollar paid out, and this has developed a surplus last year, out of the usual appropriations, of \$80,000. It is confidently believed that under administration like this, within the next ten years, without increasing the per capita appropriation, a much-needed new high school can be erected and paid for, besides providing other necessary buildings and maintaining a splendidly effective administration of the schools.

Similar methods have prevailed elsewhere. In a single office—that in which water rents are paid—three political places or “jobs” had been created prior to 1900, outside the civil service, on the pretext that the collection of money warranted it. Every one of those places has been cut out, at an annual saving of \$3,400, and the same work is done more efficiently than before. In 1900, compared with 1899, a greater mileage of streets was cleaned and a greater number of cubic feet of sweepings was actually removed, but at a cost of less by \$41 per mile.

Never until now has Rochester had a system of accounting which could give intelligible results of municipal work for the information of the public. the newly instituted Comptroller's office can at a moment's notice furnish the data of experience which a business administration always requires, or satisfy the inquiries of the most curious.

Promotions in the fire and police departments have been made according to fitness for the first time in the history of the city, and breaches of discipline have been justly and impartially punished. I venture to claim that the laws are as well enforced, and that, morally, conditions are as clean here as in any city in the United States.

During the few years before 1900, Rochester Poor Department, under the supervision of a committee of the Common Council, had gained the distinction of being second only to Syracuse, of all the cities in the United States, in the amount of money distributed for the outdoor relief of the poor. And it was current gossip that in both places political leaders invited their constituents to share in the distribution as a form of political patronage. In 1899 that department in Rochester used \$118,000; in 1900 but \$76,000. And no one has attempted to point to any suffering or want that went unrelieved after application.

In thus applying the tax levy standard to municipal work, I am mindful of those high ideals to which I referred in opening, and that the highest type of the social life of a city cannot perhaps be attained simply by demonstrating to the people that good government saves them dollars and cents. But it is a long step in the right direction. Social progress is slow, and advances are made only after painful experiences, many times repeated. But civic activity once aroused may be indefinitely developed.

Public opinion in Rochester is undoubtedly more vigilant to-day than it

was ten years ago. The results which I have mentioned were made possible largely by persistent agitation upon the platform and through the press by those who unselfishly looked for better things, and by the unceasing discussion of municipal affairs which that agitation has aroused among our citizens. And whosoever has in any degree awakened the public conscience should receive the grateful thanks of the community.

Rochester takes pleasure in extending a welcome to the representatives of an association which is striving to solve questions which are to-day the most important within the sphere of government.

Replying to the Mayor's remarks, Vice-President Richardson said:

I feel very much at loss to express in words our sincere thanks and appreciation of the kind words of welcome and the very interesting statement the Mayor has just given us. There are two kinds of cities the National Municipal League enjoys visiting; one of those is the city where public sentiment is against us; against our innovations and against our ideas. I remember a good many years ago when some of us in Philadelphia had invited that American who was recently so highly honored and whom we take pleasure in calling "Teddy," to appear before the Pennsylvania Legislature in the interest of civil-service reform. I said to him, before he commenced, that I was sorry we could not give him an audience in sympathy with his views. He said, "I am glad of it. What I want is an audience opposed to me." It would be very interesting to you, had I the time, to tell you how some of the members of that Legislature tried to get the best of Theodore Roosevelt, and how they failed, and how he succeeded in getting the best of them. But while the League appreciates an opportunity to reason with those who are not yet aware of its merits, it especially enjoys its visits to cities like Rochester, where it is sure of being welcomed by those who share its views and support its efforts.

As this is the first time that we have had the pleasure of meeting in Rochester, it seems proper to state that the National Municipal League was organized in 1894 for the purpose of promoting the thorough investigation and discussion of the conditions of local government in American cities, and for harmonizing the methods, multiplying the numbers and combining the forces of all who were striving to improve those conditions. It was organized the same year that your court house was built. Your court house, so far as its visible appearance is concerned, is much the more substantial, but I think I can say for the National Municipal League that it covers more ground.

The National Municipal League is now composed of more than one hundred affiliated associations, located in almost as many different cities, and each of these associations has for one of its principal objects the improvement of municipal government.

This is the Seventh Annual Meeting of the League, and it has become so well known, and so favorably known, that it is unnecessary to enter upon anything like a detailed description of its work at this time. Such a

description would be especially superfluous in Rochester, where so much thought and so much intelligent and effective effort has been given to good city government.

Those who are most familiar with the work of the League are those who are the most sanguine in regard to its present and future usefulness.

If there are any pessimists who think its progress has been slow, it can only be because they have failed to appreciate the fact or to understand the reason that it takes vastly more time and labor to accomplish political reforms than to achieve success in other branches of human activity. The difference is as great as it is between persuading a few to join in some private enterprise and attempting to induce a whole nation to laboriously climb to higher levels of intelligence and moral development. In starting a new corporation, or establishing a philanthropic or educational institution, the co-operation of a few individuals is sufficient, but political reforms can only be secured by the co-operation of a majority of the voters, and, in order to obtain that co-operation it is necessary that the evils to be remedied and the advantages to be gained shall be clearly and forcibly presented to every citizen.

The National Municipal League, in common with hundreds of other organizations affiliated or in sympathy with it, devotes a large part of its energies and resources to the work of reaching and convincing all who can be induced to read a statement or listen to an argument.

It is always striving to make it plain to all that bad government is the worst and good government is the best and most profitable investment that it is within the power of any community to make.

The task is one of great difficulty and great magnitude, but there is abundant cause for encouragement in what has been already accomplished, and we know that final success can only be a question of time, because in every city experience is teaching the same lessons. Her schools are always open and in continuous session; the attendance of every man, woman and child is compulsory; no excuses are accepted, and there is no possibility of escaping the penalties for stupidity or misconduct. In those schools the best pupils must instruct and influence the worst or share their punishments and all are being forced to learn by their own sufferings and losses that an endless series of intolerable evils is the inevitable result of continuing to support a corrupt or incompetent government.

But while it is a matter of primary importance to do all that can be done to arouse and enlighten others, and to thus hasten the time when a majority of the voters will be prepared to use the supreme authority which they hold in trust for the common weal, and for the protection and advancement of the interests of their fellow-citizens as well as their own work, it is a matter of almost equal importance that there should be an earnest and constant effort to discover and advocate the methods by which that sovereign power can be used to the greatest advantage whenever the voters are ready to exert it.

The machinery and intelligent guidance are as necessary as the power, and an uprising at the polls can do but little good if nothing shall have been previously done to ascertain and make known the laws which should be enacted, the systems which should be adopted and the objects which should be accomplished.

The National Municipal League has given much of its time and thought to this exceedingly practical part of its work, as will be seen by its annual reports and by the program of this Conference.

In discussing the subjects referred to in that program, it is hoped that we shall have the careful consideration and the thoughtful co-operation of all who may be able to attend our meetings.

The first item upon the program is the report of our Secretary, Clinton Rogers Woodruff, entitled "A Year's Municipal Advance."

Mr. Woodruff then presented his annual report, "A Year's Municipal Advance." (See Appendix.)

Mr. George Burnham, Jr., of Philadelphia, the Treasurer of the League, presented his annual report as follows:

TREASURER'S REPORT.

MAY 1, 1901.

RECEIPTS.

Balance on hand September 12, 1900	\$123 27	
From membership dues	1,300 00	
" contributions	1,372 43	
" sales of "Proceedings"	332 87	
		<u>\$3,128 57</u>

EXPENDITURES.

For printing and stationery	\$466 39	
" postage	526 43	
" clerical work	265 30	
" publishing Milwaukee "Proceedings"	594 40	
" publishing Columbus "Proceedings" (balance) ..	362 50	
" general expenses	315 00	
" newspaper clipping service	122 63	
		<u>2,652 65</u>
Balance on hand May 1, 1901	\$475 92	

The income of the League from all sources since the last report has been \$3,005.30. Bearing in mind that the period covered by the present report is about eight months only, from September 12, 1900, to April 30, 1901, it

will be seen that the revenues of the League show a gratifying increase; since the income noted in the last report, covering a period of eleven months, was only \$2,484.60. At the same rate of increase we should have a total revenue for the full year of about \$4,500. It will be remembered that in my last report I stated the average yearly income for the preceding five years to be about \$2,380.

This gain has been derived partly from an increase in the number of our contributors and partly from a marked growth in the number of members. We have now on our rolls 450 members. In addition we have a list of about 140 contributors, who, while not willing to be classed as members, yet contribute generously from time to time. To accomplish this result appeals have been sent to selected lists of those most likely to be interested in our work in various cities. Personal work in this direction, however, is most effective, and it is believed that our membership list might be raised to one thousand names if the present members would co-operate with the Secretary to this end. If each member, for example, were to send the Secretary the name of three persons of his acquaintance likely to accept membership, the desired number might be reached before the next annual meeting. As an indication of the improved condition of our finances, it may be stated that all bills for printing and publishing have been paid in full, and we are not carrying forward last year's debts to be liquidated by next year's income, as has been our too frequent necessity in the past.

GEO. BURNHAM, JR.,
Treasurer.

On motion the report of the Treasurer was referred to an auditing committee of two, appointed by the chair, consisting of Mr. S. B. Callendar, of Detroit, and Dr. C. F. Taylor, of Philadelphia.

On motion the chair was authorized to appoint a nominating committee, in pursuance of which authority the chair appointed the following Committee: James Neilson, New Brunswick; Dr. Robert C. Brooks, of Cornell University, and Mr. George C. Buell, Jr., Rochester, N. Y.

THE CHAIR: Mr. N. P. Lewis, Engineer of Streets and Highways of Brooklyn, N. Y., will now read a paper on "The Work of the American Society of Municipal Improvements."

Mr. Lewis read a paper on "The Work of the American Society of Municipal Improvements." (See Appendix.)

THE CHAIR: We will now have a paper on "The Relation of Baden Cities to the State," by Dr. jur. Max Horstman, of Heidelberg, Baden.

Dr. Horstman read his paper on "The Relation of Baden Cities to the State." (See Appendix.)

JAMES C. CARTER, of New York: I would like to ask Dr. Horstman if citizens are named or included in the classes which he mentioned, unless they are the owners of property.

DR. HORSTMAN: No. A person has to pay a city tax in order to be registered.

MR. CARTER: How much is the lowest tax?

DR. HORSTMAN: It is twenty marks; about five dollars.

MR. CARTER: Is there any wide complaint as to the manner in which municipal affairs are administered?

DR. HORSTMAN: I do not think so; if any, there are very few. We are so used to being governed in Germany that we do not complain there as here in this country.

MR. CARTER: Do they complain of being robbed?

DR. HORSTMAN: Oh, no.

DR. BROOKS, Cornell University: I wish to express my very high appreciation of the paper on city government in Baden, read by Dr. Horstman. While he spoke only of the cities of Baden, the method of government in other German cities is much the same. He should certainly be very proud of that German city from which he comes—old Heidelberg.

It is true, however, that there is opposition to the form of government which he has presented to us, although that opposition does not come from the classes of citizens which he has mentioned. I am not familiar with the election system of Baden, but it seems to be much the same as in Prussia. There, instead of twelfths, the division is into sharp thirds, according to the amount of direct taxes paid.

But the amount of direct taxes which must be paid in order to entitle one to a vote is much lower in Prussia than in Baden. In Berlin a direct tax of four marks (\$1), which represents an annual income of from 660 to 900 marks (\$165 to \$225), suffices. Now even so low an electoral census as this excludes a considerable percentage who nevertheless have the right to vote in imperial elections. Naturally they are dissatisfied with a city government which disfranchises them. The dissatisfaction is almost as great among the large body of small taxpayers who, though admitted to the municipal suffrage, are crowded into the third class, where their votes have only the most minimal political effect. In Berlin, in 1898, a little over one-third of one per cent of the total number of municipal voters made up the first class, and elected one-third of the members of the City Council. Less than three per cent of the voters made up the second class, while nearly ninety-seven per cent of the voters were forced to vote in the third class. Now a system which gives 298,000 voters no more political influence than is possessed by 1,200 rich men of the city is bound to produce dissatisfaction among the mass of the people.

Further, in Prussia one-half of the members of the City Council must be owners of real estate.

DR. HORSTMAN: There is no such provision in Baden.

DR. BROOKS: In Prussia this also is distasteful to the non-property holding class. It is frequently asserted that one-half of the council who repre-

sent landed interests are inclined to use their influence to their own advantage or the advantage of their class.

Finally, while the German system of supervision of municipalities by the central government works admirably on the whole, it is nevertheless susceptible to abuse. Perhaps the most striking instance of this was the action of Emperor William in his capacity as King of Prussia in withholding for over a year his approval of the election of the present mayor of Berlin. It was asserted that the delay was meant as a rebuke to the City Council of Berlin because it had passed an ordinance providing for the restoration of the little Friedrichshain Cemetery, in which rest the remains of the revolutionists of 1848. Such "glorification of revolution" could not pass unrebuked. Nor did the use of a purely administrative control for presumably political purposes pass without widespread comment and dissatisfaction.

To the economy and efficiency of German municipal government America is indebted for many lessons. That the propertied classes of German cities are satisfied with it is not to be wondered at when we consider the preponderant influence they exert. But with large classes of the people it is decidedly unpopular.

The Conference then adjourned until 9.30 a. m. Thursday.

CHAMBER OF COMMERCE ROOMS,

Rochester, May 9, 1901, 9.30 a. m.

The session was called to order by President James C. Carter, who called for the Report of the Nominating Committee.

The Committee, through its chairman, the Hon. James Neilson, presented the following nominations:

For President, James C. Carter, New York.

For First Vice-President, Charles Richardson, Philadelphia.

For Second Vice-President, Samuel B. Capen, Boston.

For Third Vice-President, Thomas N. Strong, Portland, Ore.

For Fourth Vice-President, H. Dickson Bruns, New Orleans.

For Fifth Vice-President, Edmund J. James, Chicago.

For Secretary, Clinton Rogers Woodruff, Philadelphia.

For Treasurer, George Burnham, Jr., Philadelphia.

For Executive Committee.—Charles J. Bonaparte, Baltimore, Chairman; George W. Guthrie, Pittsburg; Harry A. Garfield, Cleveland; George W. Ochs, Philadelphia; William G. Low, Brooklyn; Hector McIntosh, Philadelphia; Dudley Tibbits, Troy; Joseph A. Miller, Providence; Frank N. Hartwell, Louisville; Oliver McClintock, Pittsburg; John A. Butler, Milwaukee; W. P. Bancroft, Wilmington, Del.; E. M. Thresher, Dayton; Joseph T. Alling, Rochester, N. Y.

PRESIDENT CARTER: The next order of business will be the election of officers and Executive Committee.

It was moved, seconded and carried that the Secretary cast one ballot for the officers named by the committee.

The Secretary cast the ballot for the officers named.

PRESIDENT CARTER: I hereby declare to be duly elected to serve for the ensuing year the following officers:

President, James C. Carter, New York.

First Vice-President, Charles Richardson, Philadelphia.

Second Vice-President, Samuel B. Capen, Boston.

Third Vice-President, Thomas N. Strong, Portland, Ore.

Fourth Vice-President, H. Dickson Bruns, New Orleans.

Fifth Vice-President, Edmund J. James, Chicago.

Secretary, Clinton Rogers Woodruff, Philadelphia.

Treasurer, George Burnham, Jr., Philadelphia.

Executive Committee.—Charles J. Bonaparte, Baltimore, Chairman; George W. Guthrie, Pittsburg; Harry A. Garfield, Cleveland; George W. Ochs, Philadelphia; William G. Low, Brooklyn; Hector McIntosh, Philadelphia; Dudley Tibbits, Troy; Joseph A. Miller, Providence; Frank N. Hartwell, Louisville; Oliver McClintock, Pittsburg; John A. Butler, Milwaukee; W. P. Bancroft, Wilmington, Del.; E. M. Thresher, Dayton; Joseph T. Alling, Rochester, N. Y.

The Auditing Committee, through its Chairman, Mr. S. B. Callendar, reported that it had examined the accounts and vouchers of the Treasurer, and found them to be correct and in excellent condition.

DR. C. F. TAYLOR, Philadelphia: As a member of this Committee, I desire to make a few comments. In the first place, we found there was no provision for the payment of a salary to the Secretary. That was a surprise to me, because I have some notion of the sacrifice made by the gentleman who holds the position. I supposed he was getting some compensation. I think he ought to have compensation. When I heard his able report yesterday I was under the impression that he had. I do not think that he, or any other lawyer would make such an able brief, in his capacity as a lawyer, without charging a good fee for it, and I think his doing so without compensation is an imposition. His report is but a small portion of his work. When we think of the amount of correspondence and detail he looks after during the year, it is a surprise to me that he has been willing to do it without compensation.

We also understand that there is no provision for office rent. I happen to know that Mr. Woodruff's private office is the office of this League; that it is used for that purpose, and his time is greatly interfered with on that account. That is another thing in which I may say we are imposing on him, and I trust before this meeting adjourns there will be some provision made to make that right.

I understand the Executive Committee has a right to provide compensation, and this is said at this time simply for the information of the League.

If the Executive Committee does not take some action, I will make a motion to that effect.

Another thing we noticed is that the printing bills are high because of the small number of copies printed of the various reports and papers published. We all know that the cost of printing is not proportionate to the number of copies; the lower the number the higher the cost. This organization should publish more copies. There is nothing more advantageous for which money can be expended than printing, and I think there ought to be a large enough number printed to serve all who are entitled to a copy, and have some to spare. There should be something done to provide a sufficient sum to meet such contingencies, there should be something done at this meeting. We are here at an average cost of fifty dollars per person, but our coming here does not do very much to help. I would rather spend that fifty dollars in printing the Proceedings than to come here; I would even spend it in addition, and make the propaganda of this organization still more efficient. This can properly take the form of a more definite motion at some future time.

PRESIDENT CARTER: The subjects to which Dr. Taylor has referred are quite worthy of the consideration of the League, and I think they come within the power of the Executive Committee to attend to. The matter of compensation of the Secretary, and what has been said in regard of raising a fund, is for the information of the members. I hope there will be no commutation of attendance on account of a money question having been raised. Dr. Taylor suggests, however, that some motion be made upon the subject at a later date.

We will pass now to the order of the day, as we may call it, and the first matter to come before us is the report of the Committee on "Instruction in Municipal Government in American Educational Institutions," the report being presented by President Thomas M. Drown, of Lehigh University, the Chairman of the Committee.

Dr. Drown then read the report of the Committee. (See Appendix.)

PRESIDENT CARTER: The special discussion of the subject will be opened by Dr. James T. Young, of the University of Pennsylvania.

Dr Young then read a paper discussing the Committee's report. (See Appendix.)

SECRETARY WOODRUFF: Those who have participated in the previous conferences of the National Municipal League have no doubt been struck by the development that has taken place in the municipal problem. I well remember how at the Philadelphia Conference our President spoke of a picture which had been drawn by one of the speakers. He said, "The picture we have had drawn for us is indeed dismal, relieved only by skill of the artist." We have passed the period of despair; we have passed it because we have a better conception now of what the municipal problem is, and of the forces working for its solution. I think the man who spoke and drew that picture seven years ago would have hardly prophesied that

within ten years there would be given in the universities and colleges such courses in municipal government as have been outlined in these reports; if he had he would have been considered an idle dreamer. But now, not only in the educational institutions referred to, but in a large number of other institutions instruction in city and state government is being given. If the Committee had had the time to go into the high schools and other institutions of a still lower grade, it would have found much reason for congratulation in the courses there taught. It is a significant fact that the subject of municipal government is being taught to those who are to grapple with the question when they come to manhood's estate.

If seven years ago we had had such a paper as that of Dr. Young, we would have considered it academic. Now we realize it is practical in the truest sense of the word. The time was when a single reverse in municipal reform would have been conclusive of its failure, and the field would have been abandoned because there did not seem to be any ground for future activity. But there are upwards of five hundred organizations in the country at this time, the great bulk of which are permanent organizations. The great municipal problems are not to be solved in a single campaign, or series of campaigns, but they will take time and constant conscientious effort. Take the City Club of New York and the Municipal League of Philadelphia; the Merchants' Association of San Francisco; you will find there is no thought on the part of those identified with them that there shall be any abandonment of the positions taken. No sooner do they achieve success in one direction than they seek to make that success permanent in its result and proceed to other phases of the problem.

All this is a cause for great encouragement, and I think the Committee that was appointed a year ago should be continued another year to complete its work. There are many institutions intending to give attention to the subject; for these I hope the Committee will be able to furnish a syllabus that will cover the ground much more fully than already covered by the Committee.

MR. CHARLES RICHARDSON, of Philadelphia: I am in full accord with Mr. Woodruff's suggestion. The report of the Committee suggests that copies of the report be sent to the institutions which had replied. I think it should also send the report to other institutions and to the leading papers and magazines; and further, that Dr. Young's paper should be coupled with the report and made a part of it. I move to amend the motion in that respect.

SECRETARY WOODRUFF: I gladly accept the amendment.

MR. HORACE E. DEMING: I cordially second Mr. Woodruff's motion and venture to add a word as to the bibliography which it is suggested be included in the Committee's report. Too often bibliographies are mere compilation of names. The title of the work, its author and publisher are indispensable of course, but some appreciative indication of its contents and

of the special matter in it deserving attention are relatively of far greater value to the student. This Committee is already a storehouse of information upon the subject it is investigating, and a continuation of their intelligently directed efforts will qualify its members as the best equipped body of experts upon this subject in the country. I hope, therefore, that they will find it possible to aid the rest of us by making a classification with appropriate heads and subheads according to some comprehensive and logical system which may commend itself to the Committee, indicating under each where are to be found the best available sources of information and the most informing discussions. Where such are lacking, the fact that they are lacking will not be the least important part of the bibliography.

MR. JAMES NIELSON, New Brunswick, N. J.: There is a great deal of information in the library of the New York Reform Club at 52 William street. I suppose the Committee knows about it; but I call attention to it.

DR. BROOKS: I am glad to reply to what Mr. Deming has said by saying that the Committee has such an idea under consideration, and it hopes it may be worked out in the near future. President Drown called attention in his report to the complaint of many teachers that there was no adequate text-book on the subject of municipal government. They are thus handicapped in their work unless they are able to give up a large part of their time to the elaboration of a course of their own. This of course is possible only in the larger universities.

I do not fully agree with the position taken with regard to the work of the western colleges, partly perhaps because I am a western man, but certainly also because I realize what magnificent results the small institutions of the West have been able to attain in spite of their limited resources. By helping the smaller schools in their work, I am sure more immediate good can be done for a larger number than by the establishment of a few special chairs for the teaching of municipal government in our large Eastern universities. Until an adequate text-book makes its appearance perhaps nothing would help the teachers who are now doing all they can for the study of municipal government in these colleges than a complete syllabus—a thorough-going guide to the best literature on the subject. A number of plans for the preparation of such a syllabus are appended to President Drown's report.

One other suggestion: There is no subject which, at the present time, presents so many good topics for debate as this subject of municipal government. If the Committee appointed by the National Municipal League could draft a few debatable questions in the form of leaflets, giving brief references to the best literature, and then scatter these leaflets throughout the colleges and higher schools, they will be taken up eagerly and worked out thoroughly by the students, thus spreading interest widely in the subject we have at heart.

The question of municipal government is a vital question. The universi-

ties recognize it as a vital question. It may not be solved in our day, but the coming generation now within the colleges is going to attempt its solution. The universities recognize their duty to give these men the proper training for meeting their high responsibility, and I know any help the League may give the universities will be utilized to the fullest extent of their powers, whether they be the small institutions of the West or the great ones of the East.

DR. TAYLOR: I would suggest that an outline for the study of the municipal problem, as we have heard it, be published as a part of the report of the Committee. I can hardly offer it as an amendment in the absence of the mover, but I make it as a suggestion.

DR. DROWN: That has already been provided for, and there will be a full syllabus of the course given in the University of Pennsylvania, and there may be others added to it.

HON. NORMAN FOX, Mayor of Morristown, N. J.: The subject has been treated by different men from the standpoint of the colleges and universities, but the question might be made still broader, and include the instruction along these lines in our public schools. We might easily bring all these questions before the children of our schools to-day, and it occurred to me that when I went back home I would talk with our Board of Education and find out whether it cannot do something in the night schools by the way of lectures on the subject. We have in our town of Morristown men like Wheeler H. Peckham, Charlton T. Lewis and others, whom we might call upon to lecture, and I do not see why those matters cannot be brought up so as to interest all.

As to the want of text-books, they would not take hold of the interest of many men in the community, whether educated or uneducated. I think lectures, however, would be appreciated and would work up profitably with other things necessary to obtain the object for which we are training them. Too often, when talk is had of good government, it is the gabble of pleasant gentlemen talking over these matters, and while some good is done by a comparison of ideas, the bulk of the votes cast at an election are cast by what we might call "the ignorant voters;" but it is wrong to call them that, for they are thinking men, and these subjects must be brought up before them before we can carry out the reforms we desire. We must push the idea of public sentiment; something that is worthy of the thinking man whom we wish to educate.

A series of lectures upon municipal questions, aiming to reach all classes in the community, would bring about a more general information which would, in turn, aid in the bringing about of municipal reform.

MISS IRENE EARLL, Syracuse, N. Y.: I would like to tell of what has been done in Syracuse among the school children along these lines. I think the question of work among the children is so important that it should be brought forward as much as possible.

The work in Syracuse was begun in the schools under the system of the

School Commission, but many of the children leave at the age of thirteen and go into business, and so the school work does not reach them.

As school librarian I take the opportunity of examining their idea of the machinery of government. I found that it was rather hazy, and that there were a good many missing links. We organized a club. I found the children did not think the work in the school went far enough, and they were not working out the problem by experience. When the time came to form the club and to choose a meeting place, a good many people said they would come in and help if we would only do it in connection with the schools. I found the children did not want it that way, and we had to do the best we could. Two clubs were formed, one of girls and one of boys, although they are now amalgamated and organized on the lines of the White Charter, with the idea of familiarizing themselves with the charter and working under it. The club now numbers about fifty members. Lately we have taken up the question of what might be called municipal "house-cleaning." The condition of the streets occupied us for a time. The condition of one of our opera houses has been very bad for a time, and the children have taken hold of it and made it a better place. There are many other lines of work where it is possible for children to aid in a practical way.

I think we should teach municipal government in such a way that the children will feel they have an interest in the welfare of the city. In our club we have, under the charter, various offices not exactly provided by the White Charter. The commissioner of public amusements has the amusement work in charge; the commissioner of public works has charge of the buildings and so on. We are in hopes such clubs may be started throughout other cities and I should be glad to see a Junior Municipal League. In the work of purifying the politics of any city we should begin with the children, for the children will become our men and women, and instill in their minds the subject of municipal politics and municipal patriotism.

MR. FRANK N. HARTWELL, Louisville, Ky.: It seems to me that we are now getting very near to the root of the solution of this great problem which has confronted municipalities; nearer than we yet have been. I remember, with a great deal of interest, the lurid pictures painted by each of us as we confronted the earlier audiences of the League; each one trying to show how dark it was in the corner where he chanced to reside. It was necessary to do this to have our attention attracted to them. I think when we look back over the history of the preceding conferences we see that they have grown more systematic and wiser. We began at the outside of the circle, and have worked nearer to the centre. I was exceedingly interested in the report of the Committee, because in my efforts I have contended always that it was an educational movement; that before we would correct the abuses we were so well aware of we must first get the people to understand what we were driving at; that the enthusiasm of the start, independent tickets, etc., while all right, were not enough; that

the solution of the problem was to come from educating the children. I believe in teaching this in the school curriculum; we should teach them respect for the rights of others. I see no difficulty in the way of beginning at both ends; not to allow a man to come out of the university or college ignorant of his duty as a citizen; yet to begin in the school, with the children, and follow up the question all along the line. I believe that in a very short time, a shorter time than you may think possible, there will be thousands of citizens in embryo who, when they reach manhood, will be able to take upon themselves the duties of citizens.

MR. HERBERT B. AMES, Montreal: I do not know how many there are here who have enjoyed the privilege of serving in a city council for three years, but if any of you have you will have had ample opportunity to observe how much ignorance there is in our municipal officers; those who are in office and those who assist in governing you. In the first place, you will find men knowing absolutely nothing about the functions of municipal government or of where to place responsibility. You will find it is almost impossible for a citizen to ascertain from any one source the experiences of other municipalities in regard to one specific problem. I know, for I have had occasion to write to city clerks all over my own province to get information upon a single question.

I wish to speak of the value of the educational topic, which has been referred to, because I think my experience may offer a solution. The question of tuition in the colleges has been ably dealt with. If I went home to-night I would consider my stay here had been profitable if only from my attendance at this session. But I would call attention to the large bodies of young men who are being taught not in the colleges but in other ways; I refer especially to the work the Young Men's Christian Association is doing in the line of education. I believe in making it imperative upon institutions of that kind to teach municipal government.

You may not know it, but there are half a million young men connected with the Young Men's Christian Association, young men from whom you can best obtain work for the municipal government in the future. The mass of the young men are attracted to the Association by selfish motives; they are told if they will study German or French, Spanish or some other language, mechanics or electricity, they will be able to obtain better wages. You should appeal to the unselfish side of their natures; satisfy them that what they are doing is for the good, not only of themselves but of others; get them to assist in the development of the community for that reason.

The great difficulty that has confronted us is that of text-books. Every man who yesterday referred to the question of education asked me if I could recommend to him a text-book that would be good for an intermediate grade. I have found that no such text-book has been prepared. I think that is a question to which this League should give immediate attention.

I am going to suggest at the fiftieth anniversary of the Young Men's

Christian Association, soon to be held in Boston, that every Association have a "coming-of-age class." Every year a hundred thousand men of this country become citizens. All of those who are within the reach of the Young Men's Christian Association should be gathered together and given one year of good teaching in municipal government.

I want to tell of what has been done in our own city, but I will not, for I am informed that I am to be asked to read a paper to-morrow; but I will say that in the Montreal council of a year ago we only had one-third of the men who could be trusted, while now two-thirds of its members cannot be corruptly approached. They are young men, who were largely inspired by the education obtained from the Young Men's Christian Association. We gave them a year's training, and where of sufficient ability, we go with them and talk about the future welfare of our city government, the growth of the city, the way our charter was secured, what the charter stands for, its various amendments, how it compares with the city government in the United States and England, then where to place the responsibility of the different departments.

The next year we got about fifty young men and formed them into a mock city council. It was no mere child's play, but a synopsis of the workings of the city charter; to see what they have had to do and how they had to do it. Every member was given an office; he studied that position, and its duties and was required to make a speech or produce a paper in the council describing it. We divided our city into wards, thirteen in all, and we gave to each of our members a section of the city for a certain time. These men learned that section so that they knew it as well as their own room. They could tell you the class of population, the average wages paid, the location of all the saloons, every theatre or hall, every gambling saloon, every police station, every church, the number of the families, the percentage of population to the city; in fact, all that was necessary for them to know of the division to enable them to act for a time as its aldermen.

When the cry came for men who would help the good government clubs in their work they were the men who went out and brought in the records; they were familiar with the wards and the work and were just the men wanted.

I wish this Committee, which has done such excellent work, would consider that intermediate class of men, from eighteen to twenty, who cannot take a college course, yet who are beyond the ordinary day school. You cannot put into their hands a child's text-book; it would insult them, and they would not understand a college text-book.

We are able to obtain from England what are called model by-laws, on various questions, like ditches, streets, sewage, etc, and each have blanks in them so they would be applicable to almost any city. Would it not be well to have some such a book which would be suitable to use in all parts of the country and have it endorsed by this League?

MR. RICHARDSON: I think one of the most important thoughts to be considered in connection with the educational institutions doing this work is the extent to which the public mind is ready for a thorough, practical teaching of the subject. Of course conditions differ in different localities, but my own impression is that the public mind is more ready for that teaching than is generally supposed, and it will be popular to a greater extent than we have an idea of. I would like to mention a thing that came to my notice a few weeks ago. In San Francisco there has been an attempt on the part of the machine to interfere with the operation of the merit system feature of their new charter. I saw an article in a paper published there, called *Organized Labor*, which stated that the workingmen of San Francisco had been largely influential in obtaining that new charter, and in obtaining and advocating its civil-service reform provisions; that it went without saying that they were in favor of that provision unanimously, and that no one could attack that provision without attacking the workingmen.

The article was strong and clearly written. I made an abstract of the larger part of it and sent it to the organ of the United Labor League of Philadelphia, and they published it in their next issue.

It seems to me it was an encouraging incident, as showing the extent to which the wage-earners are considering these questions, and are ready to welcome anything of a practical and thorough nature in the way of education.

HON. D. L. D. GRANGER, Providence, R. I.: I heard with much pleasure the admirable address of the gentleman from Montreal as to the organization of young men they had called upon to aid the city officials in developing their work. I trust I shall not be misunderstood, but I wish to say, as a practical politician and office holder, and I want to ask the gentleman who presented the report of the Committee, if they will not consider the necessity, in this course, of looking a little bit to the practical men, the men who have had practice in municipal administration, however poor their success may have been.

It was my pleasure, a few weeks ago, to listen to a most interesting address from a young professor of one of the leading colleges of Massachusetts upon the subject of municipal ownership. I must confess I listened with perfect astonishment; there seemed to be scarcely a county or city in the known world that he had not studied or visited. He gave us the history of the question at great length, but he had no practical training; he had a fine theory, but nothing practical. I hardly think an ordinary workingman would have been able to follow his theory, and I think if he had only spent a little time in one of the cities of his own country, in immediate, close intercourse with some of the office-holders, that possibly there might have been some result from his admirable and astonishing work—astonishing because it was so different from the work done in colleges twenty-five years ago. It seemed to me if this speaker could have

been brought into contact with those who were assuming to serve the people by holding office, it would assist in the education of his hearers to do better work.

I rose simply to suggest to the Committee that perhaps a little closer observation of the practical workings of the municipalities themselves would be of assistance in framing the course of instruction the Committee has so well set forth.

SECRETARY WOODRUFF: I would like to call attention to the fact that Dr. Fox is himself a mayor, so that his suggestion will carry much weight in his city; that Mr. Ames is an alderman, and that Mr. Granger, who has just taken his seat, was elected mayor of Providence, R. I., on a non-partisan ticket, and is the gentleman of whom I spoke in my report yesterday.

The Chair then put the motion of Secretary Woodruff, with the accepted amendment and suggestion as follows:

"Resolved, That the Committee on Instruction in Municipal Government in American Educational Institutions be continued and requested to complete its work and report thereon at the next annual meeting of the League; and further

"Resolved, That it is desirable that the report presented by President Drown and the paper of Dr. Young be distributed as widely as possible among educational institutions and be made public through the press."

The resolution, duly seconded, was unanimously adopted.

The Secretary then presented the following communication from the National-American Woman Suffrage Association, signed by Miss Susan B. Anthony, the honorary president.

"ROCHESTER, N. Y., May 9, 1901.

"To the President, Officers and Delegates of the National Municipal League, in Session at the Chamber of Commerce, Rochester, N. Y.

"MY DEAR FRIENDS:—As Chairman of the Committee appointed by the National American Woman Suffrage Association to address letters to all of the national conventions held this year, allow me to bring before you the great need for the recognition of the women of our country in all of the rights, privileges and immunities of United States citizens.

"I am glad you are consulting together on how to better our municipal governments, but it seems to me we have already tried every experiment but the only one in which lies the hope of success—the enfranchisement of women. I would say give the women the municipal ballot, but that is too limited. Although it has done good wherever tried, still it amounts to but very little. Women must have a voice in electing the governor and the members of the legislature, the President and the members of Congress, as well as the mayor and common councils of the cities.

"Without stopping to argue this question, let me merely remind you that the government of a city, like all other governments, must be the reflex of the majority of the opinions composing it. Since our city governments, as they now exist, are the reflex of the minds of men alone, it stands to reason that to improve them we must have some new element added to their constituents; and since all men are now voters, the only resource

left is the women. Every business interest is represented in the ballot box, and is able to make itself felt and compel a regard for its welfare in the making and enforcing of city ordinances, as well as state and national laws; only women, whose interests are identified with those of the home, the school and church, are without representation, without power. If you will place the ballot in the hands of woman, I will venture that in the course of a very few elections you will see her opinions bringing down the scales in various directions—especially in the suppression of vice. The men who are trying to do this alone never can succeed in it without her aid.

"The saloons, brothels and gambling-houses are the pest of every city, and the police and men generally have proved their incompetence to cope with them. If the opinions of the mothers of the city were weighed against the saloon, who doubts that its doors would be closed? If the opinions of women were counted against the brothel, who doubts but it would hide its head, or that the gambling-houses would soon be driven out of existence? These three institutions menace the peace and happiness of the homes of every city, and it is the women of the homes who are the best and truest allies of all who would put them down.

"Therefore I hope that you will give your serious attention to this question, and will throw the weight of the influence of your League on the side of the enfranchisement of women.

"I am, very sincerely yours,

"SUSAN B. ANTHONY."

SECRETARY WOODRUFF: I desire to say that Miss Anthony is with us, and desires that Mrs. Isabella Beecher Hooker, of Hartford, Conn., say a few words upon this subject.

MRS. HOOKER: I am very much interested in this little tract of yours,* which I read on the cars coming here; and especially in the passage which the writer quotes from Burke: "There never was long a corrupt government of a virtuous people."

Now, I want to ask you, my friends, if you believe that women are people? If you allow that they are, then I ask you, are they usually a virtuous people? If you say yes, as I think you will, then I ask you, "Why don't you ask those virtuous people to help you govern your cities?" That is all I need say, and I might sit down, but Dr. Drown says that the question of the government of cities is a moral, not a political, question alone. If that be so, then why do you not put into the hands of your mothers, your wives and sisters the power to aid you in meeting this issue; why don't you put them into your constituency and see what they will do for you? He has not suggested, and you cannot find a remedy alone. We believe, as mothers, we have learned how to govern our sons and daughters; we have learned how to teach that from which springs all human action. When you have the mothers teaching their sons and daughters how to govern themselves, you have a constituency that can teach all how to govern properly; therefore, I want your League to put out the strongest resolution you can. I think you are hardly aware of the capacity of

* Leaflet, No. 5.

our young men and young women for the consideration of these subjects. Think of how many clubs of men are studying these questions of political economy. Think of the number of women's clubs that are discussing these matters.

I wrote to Commissioner Harris at Washington to find out how many women were studying these modern questions. He stated that the number of young women studying in our high schools, colleges and universities is now greater than the number of young men. He says: "Thus you see it is almost exactly fifty-four and four-tenths women to forty-five and six-tenths men." Yet not one of them can vote.

Men say the women are only for the homes. Men listen to us; believe in us; we teach the girls in our families, and our domestics. I have a maid who wanted me to address a club she belonged to. I went there and found a club composed of a large number of young women. The chairman managed the meeting according to parliamentary rule better than perhaps any of you could. She goes to her work, goes to her club and goes home at night. That club was organized to take care of the members in sickness, but some of them wanted a lecture and I was asked to address them. Now, gentlemen, those young women are all ready for lectures; you cannot do better than to start lecturing among the maids and seamstresses. My city of Hartford is full of such women, and they understand far more than we think they do. I enjoyed talking to them more than to men.

When the women vote I expect to find better men in office. When women vote in the caucus, who will dare to put up an essentially bad man when he has got to ask the women to vote for him? The one thing is to have good men in office, and if you give the women a vote you will have the good men.

I did not expect to speak at Washington. I was called to the platform and had to say something. I said I heard there was a great objection to women voting. I said I should like to be the superintendent of police of New York; if I couldn't make it safe for an Irish washerwoman to walk its streets at midnight, as safely as in the daytime, I would resign my salary; I would be willing to take the office for nothing.

Charles Dudley Warner and I frequently go up to a little Social Science Club in Hartford. One day he came to me and said they were going to discuss the police, and "I wish you would write a paper," I said, "I haven't an idea." He said, "Write a paper anyway." I said I would rather talk. I never could write papers. He kept the press open that night and it was printed. I have it here, and would like to read it to you had I the time. I afterwards met Thomas Acton, the head of the New York police. He said it was a good thing, but that was the last that became of it. I say this to show you that women are not too ignorant to vote; they are as capable of voting, and voting intelligently, as men are; and when the men and women get together and talk over the interests of the cities we

shall have all that human nature should have, and things will be far better than they are now.

MRS. WILLIAM C. GANNETT, Rochester, N. Y.: It seems folly to try to add a word to what Mrs. Hooker has said, but I would like to emphasize one point she has touched upon. One reason why women should have what she and other women are asking for is, that we believe the work that you are engaged in is simply a question of housekeeping, which you gentlemen will admit we know something about. It is a very vital matter to us housekeepers what sort of a water supply we have for our homes; how our streets shall be cleaned; what our system of sewage shall be; how the garbage shall be disposed of, and, most of all, what sort of schools our children shall go to.

We women care intensely about these things, and we do all we can now. You say we can use our personal influence with our husbands and sons. Suppose anyone should suggest that you use your personal influence alone, do you suppose that anyone of you would relinquish the ballot and depend solely upon personal influence? We want to be able to say what schools our children shall go to. We want you to give us the opportunity to put our personality into the problems that affect us and our children as they do you and your children.

MR. RICHARDSON: I would like to move a vote of thanks to Mrs. Hooker for her address. I do not think that this is the proper time to take up the question whether the League shall take up the matter that she adverts to, but I would like to move a vote of thanks.

REV. DR. ISAAC J. LANSING, Scranton, Pa.: In seconding the motion, I would like to say that it was a most interesting address.

MRS. HOOKER: Gentlemen, you must do something. I don't care a snap for your vote of thanks unless you do something.

A recess was then taken until 2.30 p. m.

CHAMBER OF COMMERCE ROOMS,
Rochester, N. Y., May 9, 1901, 2.30 p. m.

PRESIDENT CARTER called the session to order and announced the order of business to be the reading of papers on "Primary Election Reform."

PRESIDENT CARTER: I take pleasure in introducing Mr. Charles B. Spahr, Associate Editor of the *Outlook*, who will read a paper on "Primary Election Laws and Their Operation."

Mr. Spahr then read a paper on "Primary Election Laws and Their Operation." (See Appendix.)

PRESIDENT CARTER: We will now have a paper on "The Crawford County System," read by Mr. Ernest A. Hempstead, editor of *The Crawford Journal*, of Meadville, Pa.

Mr. Hempstead then read his paper on "The Crawford County System." (See Appendix.)

LAFON ALLEN, Louisville. I would like to ask if in your state the primary election system, while not required by statute, is allowed? The system in use in Minnesota has been watched by us with a great deal of interest, and seems to be an improvement over that used in Kentucky. The two points in my mind are, first, that the voters were asked to determine their choice on registration day; second, that no affiliation with a party was afterwards required. I think that system which gives the voter the opportunity to take part in a caucus or primary election under one party and afterwards vote as he pleases is an advantage. There is a feeling which extends to many Democrats in my state, which, unless a man has a great deal of spirit, requires him to vote with his party. He may meet with social ostracism if he votes with the other party. I would like to ask whether the Minnesota system is not considered more advantageous?

MR. SPAHR: I believe it is. I believe that the reform element in Minnesota gained as much at the primary as at the general election.

MR. DEMING: My view is this: It was suggested that but few officers should be elected at an election; that all candidates should be selected by petition, and that but a very small number should be required to place one in nomination. You will remember that the Municipal Program provided for only a few elective officers—the mayor and aldermen—so that the question of nomination was reduced to something very simple. But that does not at all interfere with what is here understood by the direct or primary nomination as against the delegate system; on the contrary, it fits in with it exactly.

I would say a word, while on my feet, as to the question raised by the gentleman from Kentucky. For the complete success of the direct primary, it should be a primary where all can participate, as in the general election, in strict secrecy. It should, in fact, be a sort of preliminary election.

When you come to think of it, why should anyone who goes into a primary like the Minnesota primary be compelled to say he is going to vote the Republican ticket or the Democratic ticket? What have the tenets of the Republican or Democratic party to do with a municipal primary election? It seems to me perfectly ridiculous that anybody should be obliged to declare that he is going to vote for a Republican candidate or a Democratic candidate or a Prohibition candidate or a Socialistic candidate. I say that the defect in the Minnesota law was not a defect so far as the municipal election was concerned; it seemed to me that the supreme merit was that at a municipal primary election it was absolutely secret.

If I had known this question was going to be brought up I should have brought a letter I received from a gentleman who seemed to be perfectly familiar with local conditions there. He said that it was a matter of a good deal of surprise that one candidate got a majority vote at the primaries—it was not thought that he would—and of still more surprise when he received a majority vote at the general election. The Democrats

had put up a job and the people had got on to it, and that little job had not done them any good. He was glad to hear of it, because he knew at the outset that that would be the result; that where a primary was sought to be controlled for a certain political purpose, the people would get on to it; that it would be too plain to keep secret.

In closing I should like to ask again: Is there any reason why a man going into a primary should declare, or be required to declare, that he intends to vote with the Republican or the Democratic party as such?

SECRETARY WOODRUFF: I think there is a reason why the Minneapolis law provides for that which my friend from New York objects to as unnecessary. The laws of the various states of this country provide for party nominations, so we must have party caucuses to make party nominations, and we are forced to require voters to declare whether they will vote as Republicans or Democrats or Socialists on the question of mayors and aldermen. If we are going to separate municipal elections from state and national politics, we must adopt the Australian system, and have the candidates grouped on the ballot without reference to party names; but so long as it is required to put the names of candidates in separate party columns, with a circle at the top for a cross in the circle for a straight ticket, so long will it be necessary for us to state whether we are Republican, or Democrat, or whatever else we may be.

I want to present to you for your consideration the Philadelphia plan of nomination, which I would recommend to you as a most complete method for perpetuating and retaining a corrupt gang in office. The hours of the primary are held from six to eight p. m., the Democrats and Republicans holding their primaries on different nights so that the Democrats can help the Republicans out, and *vice versa*. It is the delegate system, that is, the voter does not vote directly for the candidate of his choice, but for a delegate who may or may not vote as expected. If a delegate should be chosen who cannot be controlled in the interest of the "machine," the Division Committee can throw him out on a trumped up charge. If this committee fails to do the work, then the Convention can do it. The Ward Committee, and over it the City Committee, determine all questions of regularity, so that the "machine," through its control of the organization, can determine all disputes and all contests. How it has exercised this power may be judged from the fact that nomination conventions are almost always unanimous in their deliberations. Disturbing elements are eliminated in advance.

PRESIDENT CARTER: Edwin Z. Smith, Esq., of Pittsburg, President of the Civic Club of Allegheny, Pa., will now read a paper on "Some Recent Charter Legislation in Pennsylvania."

Mr. Smith then read his paper on "Some Recent Charter Legislation in Pennsylvania." (See Appendix.)

PRESIDENT CARTER: Mr. Charles E. Monroe, Secretary of the Municipal Association of Milwaukee, Wis., will present a paper on "Recent Charter Legislation in Wisconsin."

Mr. Monroe then read a paper on "Recent Charter Legislation in Wisconsin." (See Appendix.)

SECRETARY WOODRUFF moved that the paper of Mr. James W. Pryor, Secretary of the City Club of New York City, on "New York Charter Legislation," which the writer was not present to read, be included and printed in the Proceedings.

The motion, being duly seconded, was carried.

(For Mr. Pryor's paper see Appendix.)

MR. BURNHAM: Mr. Smith, in his admirable description of recent charter legislation for Pittsburg, referred only to that city. I feel that I can properly refer to some similar legislation affecting the city of Philadelphia.

The assessment of taxes is now vested in a Board of Revision of Taxes, and it has worked well. There had been no complaint. At the present session of our legislature, however, that system was entirely changed without the request of the people of the city and against their earnest protest. The particular point to which I wish to call your attention is this: that nothing so clearly illustrates the corruption of the machine system as this legislation for Philadelphia. If we do not have a republican government we have something that takes its place. It has become practically an oligarchy and the influence of the people has been broken down in some parts of the state. The proposed plan for the new system of assessment was practically unknown in the city until advertised in the papers, as required by law; it being partly a repeal of a special law. Just think of it; that an important bill of such a character could be proposed and repealed with scarcely any publicity. There had been no agitation on the subject. The bill was simply gotten up by a few men, introduced, passed, and signed by the governor almost before anybody was aware of it. When it was published everybody opposed it; the papers opposed it generally; almost all the people were opposed to it except the few in the machine it was expected to help. But it was too late, and it has become a law and our tax system has been changed.

I simply call your attention to it as one illustration of the effect of machine government in city affairs.

SECRETARY WOODRUFF: There is one thing which the jobbers Mr. Burnham referred to did; they proposed to do with the system of taxation what they did with Mr. Smith's Pittsburg bill; they proposed to give to the governor the power of appointing the three tax assessors, but so strong did the opposition of the people of Philadelphia become in the few days they had to protest that the bosses withdrew that clause and gave to the people of Philadelphia the privilege of electing the three members of the board at the next election. In Scranton, Allegheny and Pittsburg they did the other thing, and gave to the governor the power of appointing city officers who should hold office for two years.

MR. S. B. CALLENDAR, Detroit: I haven't time to say much, but the various interesting papers upon the subject of charter amendments in other cities suggest to me that the charter amendments for the city of Detroit might be of interest. While we have wanted some charter amendments, we have not got any until within the last two or three weeks, when we have had two or three amendments.

One of the amendments we wanted was that changing the time of our municipal election, to which both parties were pledged to give their support in the legislature.

Another amendment wanted was the nomination of candidates by the direct vote of the people, and not by conventions. We have it by convention now, though the selection of the delegates is carefully safeguarded. I think we have as good delegate and convention system as any state; but we asked for and were promised a primary election law on similar lines to the Minneapolis system.

In drafting the bill we endeavored to avoid the objection made to it in Minneapolis; that the members of one party could take part in a primary of the other party. We provided in the bill that each person coming to the polls should be given a primary election ballot of the party with which he voted at the preceding election unless he chose to declare he belonged to a different party; he was not required to declare he would support the nominees of any particular party, but that he would support the candidates that were so nominated if they got the nomination; that was all. The bill was killed in the senate. A senator from our own city was the man who defeated it.

The present legislature of the state of Michigan is about ninety per cent Republican. We have independent voters in Detroit. The Republican party viewed with a great deal of alarm the independent vote of Detroit that allowed the city to have a Democratic mayor.

One of the opponents of the primary election bill prepared an act to do away with the Board of Public Works. He took his bill and went to Lansing on the nine o'clock train; the bill was introduced in the house that afternoon, passed to a third reading and was put on its passage, passed the house, went to the senate, was there passed and signed by the governor that night, and before eleven o'clock an appointment was made. The bill provided for the doing away of the old board and the establishment of a single commissioner of public works, to be appointed not by the mayor but by the governor of the state. The appointment was made, and by seven o'clock the next morning the commission of the new appointee of the governor came to the city of Detroit. The appointee went to the office of the Board and demanded the key, but before he succeeded in getting the key an injunction was issued and the matter was brought before the courts. The judges of the courts, by a unanimous decision, declared the act unconstitutional.

There was a provision in the law that if there was a vacancy, it should

be filled by the mayor. The decision was rendered that the law was unconstitutional. This decision was appealed from and the Supreme Court declared that the law was unconstitutional, not in declaring the office vacant but in giving the appointment to the governor, as the constitution provided for home rule, placing the appointment in the hands of the mayor. This decision being rendered, the mayor appointed the very man the Republicans did not want to have the office.

The member who prepared the bill, in order to get even with the mayor, drafted three more bills: the first to abolish the office of the board of Public Works, which was provided for in his first bill, and to provide for another board of Public Works with a one-headed commissioner who should be appointed, not by the governor or by the mayor, but by the common council of the city, which is Republican; another bill for a single head board of park commissioners; another for a single commissioner of police. These also gave the appointing power not to the mayor or governor, but to the common council. It was understood just who was to be appointed. Last Friday afternoon some of us had the pleasure of assembling in the common council chamber and seeing the three men appointed as heads of these departments to whom most objection had been made.

Bills were drafted just before I left the city of Detroit, by this same party, providing for the appointment of a corporation counsel by the common council of the city. That was on the program when I left the city.

The only hesitation at any time was whether it would be a good political move. It would seem to me that putting the appointing power in the common council would negative all merit there is in a one-man board.

MR. NIELSON: It is interesting to note how reform legislation sometimes helps the other kind. In my town, some thirty years ago, we had a senator who seemed always to succeed in taking money out of the pockets of the people to put into those of the party machine. He went over the list of office-holders and raised all the salaries from two to three times as much as before, but they all had to make large contributions to the party fund. He did good for some to benefit the party organization.

That worked so well that he was encouraged to prepare a bill for the appointment of three highway commissioners to hold office three, four and five years. This was passed. We found they were spending money like water; the right to issue bonds was given to these commissioners, and our indebtedness was run up to a large amount. This led to the passage of a constitutional amendment in which there was a provision that special ordinances could not be passed. So, fortunately, we have been enabled to get rid of paying these large sums to these men, and there are a number of suits against the city to recover the salaries of these men.

MR. OLIVER: I came here in order to get ammunition to use in the Ohio campaign this fall. It has only been within the past few years that the reform movement in Ohio has amounted to much. A few years ago the legislature gave the governor the power to appoint commissioners

to revise the code of Ohio. That code was too voluminous; he did not have time to study it, and having published one volume he did nothing with the other.

This year we propose to pass a law less voluminous, which has for its chief object the abolition of all special legislation. We propose to have abolished all special legislation and enact another law providing for the merit system. We are also hopeful of having a law for the Ohio municipalities which will give to Ohio cities a good, safe municipal government.

At this point the Conference took a recess until eight o'clock p. m.

CHAMBER OF COMMERCE ROOMS,

Rochester, May 9, 1901, 8 p. m.

Rev. Clarence A. Barbour, of Rochester, announced that owing to the pressure of business, Senator White, of Syracuse, would not be able to attend the meeting. We had feared that would be true, and it is true, but you will not be disappointed in coming here, because Mr. James C. Carter will speak in his place.

PRESIDENT JAMES C. CARTER: Gentlemen of the National Municipal League, Ladies and Gentlemen of Rochester.—There are many pleasant occasions connected with the office which I have so long held in this League—I believe ever since its formation. Among them, however, I cannot say that the duty of speaking every time this body meets is to me one of the most acceptable. I have pretty much talked out this subject. I am an old man, as you see, and I do not take in new views as easily as younger men. I am more antiquated. I have formed my own ideas upon the subjects which interest us, and I have repeated them over and over again in the meetings of this body. However, I am called upon to speak again. It seems to me much like telling the old story over again, with less interest. Still, as long as I have the honor to hold the position which I do, so long as it is possible for me to contribute to the advancement of our cause, by speech or otherwise, I must do what I can.

I have not recently engaged in any new study of the subject; I have very little in the way of new information upon the subject now, but what seems to me the proper thing for the President of the League to do is to give his hearers a general idea of the great problem we are dealing with, something of its nature, something of its condition and something of the way in which the evils we deplore can be remedied.

Now, ladies and gentlemen, at the present time we in America seem to have great reason for exultation at the condition in which we find ourselves; the condition of power, the condition of glory, the condition of fear or respect, I hardly know which, which we hold in the eyes of the world. We have been engaged in a war with one of the old nations of Europe; we have defeated her by land and by water; we have stripped her of her

most desirable possessions; we have driven her from the Island of Cuba; from Porto Rico also, and annexed the latter to ourselves; we have dislodged her from that great empire of the Eastern Ocean; our flag floats in the far East over new seas, under new skies and above strange people. We have secured peace in the Philippines, for Aguinaldo has surrendered. The Cubans have been a little obstinate, but their Commissioners seem to have gone home satisfied. Our condition seems to realize the poetic prophecy.

In the mean time how have we been progressing in other directions? We have become prosperous and powerful; our manufacturers are put in competition with the different nations in the markets of the world; we are now taking the lead everywhere. Our exports have enormously increased; the markets of the world are ours to a much greater degree than ever; we have entered upon an era of great glory.

But when we look upon the other pages of the condition of our country there is a different story. What are the conditions we find that are so much in contrast with the glorious pictures we see upon the other side?

I have grown tired of speaking with bitterness; I have grown tired of speaking in deprecatory terms; yet we cannot otherwise well describe the condition of things which exists among us, to a greater or less degree, in respect to the government of our municipalities.

Take the great city of New York, from which I come; what have we there? More than three million of people bound together under one form of government, with one set of officers, embracing the richest and most powerful community on the face of the earth, and who are governed and dictated to—by whom shall I say? I do not think it far from the truth to say that the government of the great city of New York is in the real control of a man—I do not mean its official head—not fit to govern one hundred; a man who, on the other side of the water, is engaged in horse-racing; yet our own great city of New York has been for years past under his power. I know of no kingly authority on the face of this earth, I know of no monarch on the face of this earth, that has an equal power over the fortunes and destinies of an equal number of people. The Czar has, nominally, absolute power; the Kaiser has, nominally, almost absolute power, but both of these great potentates are governed largely by public opinion; this man is unmoved by public opinion. Take the police for instance. The investigations of the committee now called the "Committee of Fifteen," at the present time prosecuting its work in that city, have disclosed to us—though we knew it before—that the police of that city are everywhere in collusion and league with the law-breakers whom they were appointed to suppress; everywhere taking money from them for exemption from just punishment of the law. People whisper blood-curdling stories, which I have no language to repeat, of the fearful scenes of vice and infamy carried on there every day, and still more every night, to parallel which we should have to search the records of the most

degraded cities of antiquities; and all in the second greatest city of the world. The vices of London and Paris and the foulest corruption of other cities are far surpassed by those of the city of New York.

New York is not alone. Take the great state of Pennsylvania. We know something of the conditions there from the admirable paper read to us to-day. A great community of from five to six millions, its political and other fortunes subject to the will almost of one man. The attempts made to improve the condition of things there seem utterly unavailable and futile and fill the hearts of those engaged in them with despair. Our friend related to us—it was so bad it was almost ridiculous—the attempts made in the city of Pittsburg to improve its municipal conditions. Good men and women engaged there, as we are, to bring about good government, had to give up, almost disheartened, from making further effort.

Conditions are not quite so bad in other parts of the country, but it is more or less the same, far and near, unless Rochester be an exception. No, Rochester is not an exception. It is in a greatly better condition than it was a few years ago, in a vastly better condition, and the efforts made to improve it are full of encouragement. Similar improvement has been made elsewhere, but nevertheless the picture is one that should fill every human heart with sorrow.

Now, why is it? What is the reason for it? We know that the people have those qualities which it is universally admitted this great American people possess. Why is it they should be so incompetent in dealing with political questions? Why, when they succeed so admirably in the other relations of life, do they so utterly fail in this? If we look for the cause, the remote cause, we shall find it in our form of government, our famous democratic-republican government. To use a very vulgar phrase, but a very expressive one, "We have bitten off more than we are able to chew." We have undertaken to govern these great communities—our cities now embrace about forty million of people—we have undertaken to govern them without any proper understanding of the difficulties of the problem, the understanding necessary to make that government a success.

Go back to the time when our government was established and remember the state of things then. When the government was formed the ideas of which our great Jefferson was the expounder had gained great control. They were the ideas which had carried us through the Revolution. It was the idea of popular government, and he believed in it almost to fanaticism, and he expounded that belief among his followers, and it has obtained a foothold in the country from which it has never been dislodged. It asserted the ability of man to govern himself anywhere and everywhere. What were the conditions at that time? There were these thirteen colonies, or states, a few sparsely settled agricultural communities. Now, those communities were easy to govern; the problems of government were few and simple. Candidates for office were well known

to the electors. Even in the cities it was much the same. The cities were small; everybody knew everybody else. The great distinctions of character, learning and ability, were recognized; men were ready to follow and obey the great men whom they admired. There were no great temptations to misgovern; no man went into politics "for what there was in it," for there was little "in it"; there was but little temptation to betray public trusts. The scheme of government was so simple, the difficulties which confronted it were so few, that the task was comparatively easy, and our government in that day was good government. We had our parties; a bitter party spirit was excited; partisanship upon the great questions of the day was very strong then, as those who have studied the history of those times must know.

How is it now? Instead of these few small agricultural communities, with few governmental needs, we have a vast population, with a large part of it inhabiting cities. We have cities of 25,000, 50,000, 500,000; millions of inhabitants, with prodigious requirements which government alone can supply—great municipalities employing thousands of men in doing their work—all Europe sending its labor to our shores—the outpourings of other lands coming here by the thousands and millions, ignorant, unacquainted with our institutions, yet participating in them, and all have to be governed. Here is a very serious problem, and a totally different one from any ever thought of by the founders of this country. It is in this condition which exists at the present time, which has been growing for the past fifty years, that we find the difficult problems which never confronted our fathers.

Have we made a mistake? Did our forefathers make a mistake in adopting republican institutions? Is it a wrong system of government? Must we give up the work in despair? Must we acknowledge the problem is impossible of solution? That we must never do. We believe in these principles as Jefferson did. We believe them to be the true principles on which society should be instituted. We must adhere to them and act in accordance with them. We will never admit the problem is impossible; we will never give up our faith in republican institutions, and whatever it may be necessary to do to solve the difficult problems they bring along with them, that we must do, and success will attend our efforts.

Now the next inquiry that would naturally suggest itself is how are we going to do it? I think the first step in that direction, the first step in any attempt at improvement, is to find out the particular shape the difficulty assumes. We must first do as the doctors do when called upon to examine a patient. We must make an accurate diagnosis of the disease confronting us. What is the diagnosis? It is pretty difficult to acknowledge that these democratic institutions of ours have, somehow or other, got us into the difficult position where we find ourselves, but so it is.

According to democratic principles, everybody has a vote. If we want, as everybody does, good political institutions and equal laws, it seems to

be a very simple thing to vote for and elect the men who will give them to us. This our people did in the beginning, and as they were not agreed as to what policy and what laws were best, they arrayed themselves, as is generally done under free institutions, into two great parties. These had reference to state and national affairs, not to local and municipal matters, for these at first did not possess the importance they do now. But the party divisions once established, in respect to state and national affairs, come more and more to be adhered to in local and municipal elections, and the result is that in municipal elections we are left to choose between Republican and Democratic candidates. Now the control of these parties is lodged with their respective national and state committees, and it is these committees that have the principal voice in determining in whose hands the control of the local political organizations shall be placed. These committees are under no responsibility concerning the administration of the municipal governments. Their sole concern is to secure the greatest number of votes for their national and state tickets, and as a matter of course they will see that such candidates are nominated for municipal offices as will most effectively employ the vast power and patronage of such offices to secure votes for their party tickets. The sure consequence is that the municipal officers of either party fall into the hands, not of those who best understand municipal interests, and will be most faithful in serving them, but who best understand how to procure votes for their party and will be most unscrupulous in their efforts to obtain them.

Here, then, is the fix we are in. Those who wish, above all things, for honest and effective civil government—and they are a majority everywhere—cannot vote for candidates selected for their proved integrity and ability to administer city government, at least with any chance of success, but are obliged, if they vote at all, to choose between two rival sets of candidates, both of whom have been selected because of their known ability and unscrupulousness in the getting of votes! We have an object before us—good city government—which we wish to gain, and can only gain by political action and we are somehow compelled to take such action as will certainly defeat the object. This is precisely the condition in which our great cities like New York, Philadelphia and Chicago are, and it is to a greater or less degree the case with all our cities, except in a few instances, where this party domination has been thrown off.

Now, the mischiefs thus resulting were not so great in former days, and therefore did not attract so much attention, and this false system slowly grew up by degrees; but now that the city population has become so prodigious, and municipal revenues and patronage so vast the evil has become unendurable. See how the present condition of our city populations favors this false system, and renders this business of getting votes for the national ticket so important that those parties become willing to utterly sacrifice municipal interests in order to gain their prodigious vote.

We give every man a vote; that is democratic government, and we mean to keep it, but our cities hold great numbers of men who have no interest in the public good; they may not be, and generally are not, property-owners; they may live in lodging-houses; employed to-day here, to-morrow there, the most of the time not employed at all; the criminal classes, those engaged in unlawful occupations, gamblers, etc.; yet all have votes just as you have, and their vote is just as powerful as yours. They compose what is known as the "floating vote," and it is necessary for the party, if it would be in control, to command that floating vote if it would gain the prize.

There is besides a vast number of men who want public employment, and will give their votes to secure it; there is a large number who want municipal contracts and who employ great numbers of laborers, and who have large influence over the votes of such laborers, and are willing to exert it in return for patronage in the way of contracts; there is a still larger number who want exemption from the just operation of the laws, who can get it by a "pull" with officials whom they help to elect; there is another class who want control of your franchises, such as street railroads, public lights, gas, etc., and they want men in office who will further their aims. All these classes of men have or control votes, and you therefore see what a business it is for the party politician, this of gaining votes, and how certain it is that the municipal interests will be sacrificed by them in their efforts to obtain them.

Now these things are so clear and so easily understood by any one who will fairly look at the conditions that one would think that all our citizens who have no share in the selfish and corrupt manipulation of government would unite at once and do away with this corrupt party government in cities. But we must look the situation fairly in the face and learn the difficulties which beset our efforts for improvement. They are many and serious, and they arise largely from the fears and the hopes of men, often very good men, which operate to prevent them from taking the part they ought to take in the work of improvement.

There are the holders of public franchises who are to some extent at the mercy of the partisan city officials, and fear to offend them by opposition. There is another large class of wealthy men who are subject to heavy taxation and who fear the disfavor of those who have the power to put their taxes up to a high figure.

So with a great many other men, whose large interests or business operations are touched upon here and there by the law; insurance companies, who have in their control millions of dollars and the interests of hundreds of thousands of people. They do not want to have their affairs investigated and subjected to the scrutiny of their rivals in business; they could not think of it. That must be stopped; and how can it be stopped? In no other way than by going to those who control the political machine and saying, "You must call your dogs off;" and they find that they are expected to make large political contributions if "the

dogs are called off," and they make them. Are these men likely to be solicitous in endeavoring to get a better state of things?

Still another thing. Here are the young men of the nation; men of ambition, men of talent, who want a theatre where they can display themselves; in other words, they want to enter politics; they want to be senators, representatives, governors. How can they do it? They must go to the people who control these votes. These people organize machines for controlling votes, and what is more important, controlling nominations. No man can move a step, politically, unless these powers are considered.

What would be the effect of asking these men, ambitious for power, to enter into a non-partisan effort for good government in cities? If you should go to the senate or house of representatives, or to the legislature of the State of New York, and say to the members: "We want you to join us in an effort for municipal improvement, and to put down these men who have usurped municipal power," how many would you get? Not one. They will say, "You haven't succeeded in the slightest degree; you are but a party of poor cranks (like you and me). You reformers do not accomplish anything." These are mere pretexts; those who make them do not believe in them, and they are very poor pretexts. If they really think that these five hundred societies in the United States formed for municipal improvement are composed of cranks, what is the cure for that? Let them go and substitute themselves in the place of the cranks.

Now I have exposed the nature of the disease. It is a pretty serious one, but it does not require any desperate remedy. There are a great many ways to improve this state of things. Some think they may be improved by legislation—by changing the laws; but good laws administered by bad men do not amount to much. Improve your systems of administration in any way you will, if there are men in your municipal offices who will not administer these good laws it will amount to but little. You have got to go deeper than that. What is the real trouble? The real trouble is that you have got men in office who are untrue to their trusts, who are there for their own interests more than for the public good. If you had good, true, honest men in office, owing no allegiance to any power except that of their fellow-citizens and the law, you would have a better state of things right off—in an hour. Does anyone doubt that? Have you ever known an instance of a good man in office, left independent of the influence of any political boss or clique, who failed to discharge his official duties in a manner satisfactory to all good men? What you want is to get good men, men who are uninfluenced by other considerations than the public good and the administration of the laws.

But that is not the only requirement. It is one of the most necessary conditions, but not the only one. I think there is an equally important one, and that is that the man should be elected by good men; by men to whom they are under no personal obligation. Take the best man in

the world, put him into public office, and have him owe that public office to a certain man or body of men, he will feel himself bound to answer their expectations.

There is Mr. Abram S. Hewitt, of New York. I doubt if there is a better or more advantageous man in New York. I name him because he is a recognized example of integrity. I have told him, in his presence, and in the presence of others, good friend of mine that he is, that if he were put in nomination by Tammany Hall I would not vote for him, because, good as he is, he would be indebted to that machine.

Why is it so? I must bring to your consideration a principle you do not always think of; a very broad, fundamental principle of human nature; a principle upon which the moral order of the world is founded; the simple one that you must keep your promises, whether express or implied. If you have allowed a man to think that you will give him something he may desire; that you will act as he expects you will act, and you accept some office or place that he offers you under that expectation, he expects you to keep that promise. No matter if you have promised a bad thing you are morally bound to keep it. You cannot say, "I promised a bad thing; I have reformed and I will not keep my promise." If you have made the promise you are bound to keep it. That is especially so in the world of politics. Good men can be found everywhere; there are lots of them; but if you put them into office and expect good results you must put them in free and untrammelled.

Four years ago we had a great campaign in New York, resulting in the election of Mayor Strong; a good man. That was a campaign of which the reformers had the charge. They did not furnish the greatest numerical strength, but there were a number of Democratic organizations in it, and the Republican organizations united with it also. All of these organizations accepted the citizens' platform upon which Mayor Strong was nominated; that the city government should be non-partisan. They accepted it, and when Mayor Strong came into office you would think he was free. Not at all. They did not believe what they said. They knew that Mayor Strong did not believe they were honest in what they said; he knew that if he was elected they would expect to be recognized, and Mayor Strong, in obedience to this universal, unwritten law I have spoken of—the law of good faith—did recognize them.

I remember his calling me in once to advise with him in regard to the selection of officers to fill some positions. He said, "Now, I recognize I was elected, two-thirds by the Republican organization and one-third by the Democratic, and I make it a rule to award offices, one-third to the Democrats and two-thirds to the Republicans." I do not think Mayor Strong could have acted in any other way, knowing these men were watching his course. He was not free.

Take the men that are engaged in carrying on the municipal governments of our cities at the present day; they are not—the majority of them

—in their inmost natures, bad men at all; they are very much like you and me. Some are very bad, however; but take them all through and they are not men who differ from the average. They are men who provide for their families, and they do not steal—openly at least—nor do they do what they consider stealing. They make some money out of contracts, or give an office to a friend. Take men like them and put them in office and have them feel that they go into the position they now occupy perfectly free, owing allegiance only to their fellow-citizens and the public good, and they would be good officers and give good government. That is the importance of having good men elected and elected free.

It is a matter of course that if a man is elected as a Republican or a Democrat he will sacrifice municipal interests to the exigencies of the party. A presidential election is going on and we have the newspapers saying, "Why, there never was so important an election; all depends upon whether this man or that man is elected; all other considerations, except that of party, sink into insignificance." So those men think. They will oust a hundred men out of places and put in another hundred to gain their votes, and they think it is patriotism. That is the advantage of having men in office who are free from such political engagements. Public office is a public trust; this consideration cannot be disregarded for any reason, even though the election of a President of the United States depends on it. You can do no better service to the administration of the United States than to administer municipal government as it should be. See what a difference there would be if you could take this business of municipal patronage out of national politics. It would elevate and purify that branch of our politics. Great party questions would be debated and decided upon their merits infinitely more than at present.

The questions of state and municipal politics have nothing to do with each other. Is there any reason why there should be any connection between the two? No. Why should national parties have anything to do with the affairs of the municipality? They have no jurisdiction in it. I am a politician myself, and I want to see the true political field occupied and well occupied by the national parties, and I do not want any municipal organizations encroaching upon it. It is outside of their realm. For these reasons I think the great work of municipal improvement is to be carried by non-partisan organization. You cannot accomplish it in a day; you will have to get it by degrees. Step by step we are succeeding in banishing the political parties from our municipal governments. Are we making any progress? Yes. All our efforts are not like those of which we have heard in Pittsburg. In many of the cities of the eastern part of the country—Boston, Cambridge, Hartford, Providence and others—it has reached, or is near to, success. In St. Louis, Cincinnati, Louisville and other cities of the West and South it is gaining strength. Every day, step by step, investigation into the administration of municipal

affairs is going on, and these clubs and leagues for better municipal government are becoming more powerful.

What steps am I to ask you to take? The first step is to form public opinion; try it in every way; by the formation of municipal leagues, such as are already organized in different parts of the country. They will greatly help to create a public opinion. Carefully observe action upon public affairs; watch the conduct of the officials; criticise them if they do what is wrong, but do it justly. Make municipal affairs the regular subject of your thoughts, discuss them with your friends, and support the papers and periodicals which advocate the cause.

Talk about them with the women. They ask, "What can we do?" What can they not do in discussing these questions by the fireside? I know they cannot vote—yet. Mrs. Hooker says the first step in municipal reform is to have woman suffrage. I think that is a separate question from municipal reform. I feel that those who are engaged in municipal reform should not handicap themselves by that question now. I wonder how long women would preserve their great influence if they could vote. Now they have prodigious influence. They can demand of their husbands and sons to do their duty; they can inquire if they have done it, and you know what they can do if they have not done it. O, a household can be made very uncomfortable by women, if they choose to exercise their power unsparingly. It is not an unfit subject for the pulpit to engage in. It comes so near our homes. They have the right, as moral teachers, to engage in it.

But I must leave you; I have talked too long, but I urge the people of Rochester to join us in this effort to redeem our cities from the mischiefs of partisan government. Let us exempt ourselves from this subjugation of party; let us rise above it and place our political action upon its true foundation, and so organize it as to insure the election of good and true men who owe no allegiance to any power other than that of the laws and their fellow-citizens.

MR. HORACE E. DEMING, of New York: The remarks of the previous speaker tempt me to call attention to some of the many changes for the better in our political methods which have been brought about during the last twenty-five years, and which, I think, justify the confident expectation of even greater progress during the next twenty-five years. But I have been asked to speak upon a different topic, and there is but little time remaining at my disposal.

Shortly put, democratic government means government of and for the people through agencies freely chosen by the people. A democracy, therefore, rests upon opportunity for the free formation of public opinion and the loyal enforcement of the decrees of public opinion deliberately formed and expressed. Whatever seriously interferes with the free formation of public opinion and the loyal enforcement of its deliberate decrees makes against democratic progress,—the movement that tends to make

government the expression of the will of the governed, which constitutes the democratic ideal.

I propose to speak to-night briefly of one of the obstacles, in some aspects, perhaps, the most serious obstacle in the path of our people toward a government of, for and by the people.

Suppose that you are interested in the practical accomplishment of some reform in the conduct of public affairs, such as, for example, home rule for cities, civil-service reform, the publicity of accounts of public service corporations, the personal registration of voters, or a ballot law which insures secrecy to the voter and equal and fair treatment to candidates for the same office—how is such reform to be brought about? If through new laws, by electing legislators who will enact the laws. If through the administration of laws already enacted, by electing executive and appointing officers who will carry out loyally the policy of the laws. But how shall we secure the election of such legislators and administrators? By arousing an effective public sentiment which demands and insures their election.

How shall this be done?

The answers to the previous questions were sufficiently obvious. The answer to this last one is more difficult. The arousing of public sentiment and the making of that sentiment effective in accomplishing results are two very different propositions. Some examples from recent political history will illustrate my meaning.

Under the present New York City Charter there is a board of public improvements, consisting of the mayor and comptroller, elected by the people, and certain other officials who are the appointees of the mayor. This board has vast powers, and two years ago was about to close a contract which would reverse the settled policy of the city to own and control its water supply and make the city dependent upon a private corporation for all water needed for public or private purposes. I do not need to rehearse the story of the infamous Ramapo contract. It is sufficient for my purposes to call attention to the fact that, except the comptroller, both the elected and appointed city officials misrepresented the public sentiment of the city; that the state legislature equally misrepresented that sentiment and refused any relief, and it was not until there had been two years of most persistent public agitation that this utterly indefensible onslaught upon the interests of the city was finally beaten off.

Take another illustration: You all remember when the agitation for ballot reform began a few years ago in this state. You all remember the evils it was intended to remove. You remember the little slips and bunches of ballots; how the printing was done; how each little slip had its own endorsement; you remember how these little tickets were peddled at the polls in packages prepared by the party workers, and the crowds about the polls; how intimidation and bribery on election day were made easy. There was a widespread popular desire for a change. A simple

scientific remedy was found and embodied in a proposed election law. That the law was practical and effective is proved by the fact that in the very year that it was introduced in the New York Legislature, Massachusetts adopted it, and it has been in successful operation in that state for fourteen years. In our state the proposed law had hearing after hearing before three successive legislatures. Public opinion outside of the legislature was practically unanimous in its favor. Almost without exception the leading newspapers of the state advocated it; so intense was the desire of the people to have it that I think the largest petition ever carried into the halls of our legislature was sent there in its favor. The fight went on for three years while the governor and legislature played peanut politics; each side loudly professing its approval of the purpose intended, but always insisting upon something the other side would not agree to. At last we got a ballot law, but so changed from its original intent by successive legislation that the Court of Appeals and other courts have condemned it as absolutely dangerous.

Take a still more recent illustration: There was a Congressional Convention held a year ago in New York, a nominating convention to select candidates for Congress. There was a clear majority in that convention of delegates for a certain man. In that convention were a good many men who held office in the city, or in the custom-house; some who were not in office had alternates who were office-holders. The views of these men as to the rightful candidate began to change. The final decision depended upon only two or three votes. Orders came in to certain men, who were employes of the city or custom-house, to vote in a certain way. One man, especially, who had stood by the candidate desired by the district was ordered to change his vote. He said he could not; he was pledged the other way. He was informed that this made no difference, and when he insisted upon keeping his pledge he was called out of the convention and his alternate sent in. The minority man in the district was chosen as the candidate of the convention. It was a Republican district, and, on election day, all the Republicans voted for him and this minority candidate was sent to Congress, and he is there now.

These three recent incidents in our political history are very suggestive. Was public sentiment in favor of the Ramapo contract? Was it opposed to ballot reform? No. In the Ramapo case the public officials did not represent public sentiment. Neither did the legislators in the ballot reform agitation. How came it about that we had such officials and such legislators misrepresenting public sentiment and irresponsible to it? The answer is found in large part in just such occurrences as the nominating convention that knowingly and intentionally selected a minority candidate.

Our nominating methods neither express nor are adapted to express public sentiment. How, then, expect to have legislators and public officials representing or responsive to public sentiment? Our members of the legislature and other public officials do not represent public opinion; they

do not expect to. These men take public office for an entirely different purpose. They represent not public opinion, but their party organization; and just as long as we keep up our present system of nominating candidates, just so long will there be a very great obstacle both to the full and free formation of public opinion and to any loyal enforcement of its decrees. One may well ask why put forth any effort to create a public sentiment if we have no voice nor influence in selecting officials who will represent that sentiment.

I am not intending to discuss or advocate any particular plan of reforming our nominating methods—there is not time to-night—save to call attention to the fact that a prerequisite of the reform is a simplification of the machinery. But I do wish to emphasize the absolute need for nomination reform if public sentiment is to have its decrees enforced, to ask you to devote your thoughts to the reform, your efforts to help bring it about, and not to be disappointed if this or that device adopted with high hopes of success does not accomplish the result.

Progress must be slow, for reforms in legislation and administration must be effected through legislators and administrators, the majority of whom is hostile to the reform. But though slow, the progress is certain and ultimate success is sure. The advance of freedom comes from action and reaction between those in authority who abuse their authority and those under them who resent and resist the abuse. This is the history of political progress in every race, but especially in our own. Gradually the sense of responsibility by the governor to the governed for the use of power has developed, and, contemporaneously with this, and as a principal cause for it, comes the enforcement by the governed of this responsibility upon those governing them. When the evolution is complete, then will be real democracy.

Our country has traveled a long way toward the democratic ideal, but is yet a long way from attaining it. We started with the fundamental principles of democracy in our Declaration of Independence, and in the hearts and thoughts of many of the people; but our government was in fact an oligarchy. The few governed the many. On the whole, the few were the best; the oligarchy was a true aristocracy. I am using general characterizations. There is no time for qualifying phrases, but the terms used describe with sufficient accuracy the general characteristics of the then stage of our political development.

The nominating machinery was in the hands of the few, the natural leaders, and the people acquiesced; there was no special abuse. In deference to democratic tendencies, and to meet the needs of a growing population in an extended and extending territory, the methods of nomination by primary and delegate conventions came into existence. Presently the very complexity of the machinery put the control once more in the hands of the few, and gradually the few became not "the best," but an oligarchy. This oligarchy found itself in possession of power for whose

use it was not sharply responsible to the people. The oligarchy abused its power. The people have resented the abuse, and during the last decade, and, especially the two or three years just past, in state after state where the people have suffered abuses and wrongs at the hands of the political oligarchy—an oligarchy which, as in old times, has in many cases become the one-man power of the tyrant—there has been an agitation constantly growing more widespread and earnest for nomination reform.

In the end, and I believe very soon, measured by the life of a nation, this reform will be attained and one more obstacle removed from the progress toward democracy, one more stride taken toward a government responsible to the governed, toward bringing about that unity of interest between the public and those in authority over the public, which is an essential element of good government.

Of what vast consequence will this result be to the object of the special efforts of this League—the betterment of municipal government and the placing it upon sure and safe foundations of genuine democratic principles. We are reminded again that in working to attain our special objects as members of this National Municipal League we must also work to advance the cause of all reforms that, like our own, are but a means to one end—a government of and for the people through agencies freely chosen by the people.

DR. C. B. GILBERT, Superintendent Rochester Public Schools, said in part: The hour is late, and after the rich feast we have already had it somewhat difficult to come down to the matter I have to speak of, and I will occupy but very little time.

I am almost ready to wish I were a Turk, or a Hessian, or anybody but an American citizen. We are a terrible lot of people. From what I have heard to-day it would seem there is no possibility of hope. Yet the smiling faces I see before me show me that I am wrong; that there is still room for courage, and these distinguished gentlemen who have spoken to us, even they admit some hope. But unless your children can have better notions and a higher appreciation of the dignity and value of citizenship than their fathers, then these terrible things of which we have heard to-night will continue and grow worse, because I believe that, after all, we must go deeper for the cause than has yet appeared. The cause of all these troubles in municipal and national government is simply that you and I fail to recognize the nobility, the value, the opportunity of citizenship. There are two causes for this lack of interest, this too slight regard for citizenship. One is the notion that the citizen is to get everything from the state, the city. It is that the state (I use the term in its generic sense), is the good uncle, with his pockets full of candy and pennies, and that all we children have to do is to go to the good uncle and get the pennies and candy. This might be called "good uncleism." It permeates the whole people. There are very few of us who are not

contaminated by it. It is not confined to our spoilsmen, nor to our politicians; it permeates the whole lump; but it is the same spirit which actuates the spoilsman, only we would legalize the grab.

Citizenship is the highest function of life. So far as human life has advanced, it has not reached anything so high as citizenship. If you take scientific truth that specialization of function determines the stage of evolution and apply it to society, you reach the same conclusions. We can never remedy the evils of municipal or national government until the citizen looks upon his citizenship as his greatest honor and his greatest opportunity; until he understands that the greatest man is the greatest servant. It is only as the individual recognizes the dignity and worth of citizenship that we are going to have reform.

I submit that the hope for the future lies in training the children in the schools; it lies in the development in children of an appreciation of the dignity of citizenship as they grow up; as you and I do not appreciate it; it lies in the education of the children to look upon life as a duty to serve with others for the common good rather than an opportunity to get something out of that duty, as service-sharing instead of profit-sharing. We have courses on civil government in our schools; we think if we teach the children what the duties of the mayor, the comptroller and aldermen are we will have good citizens.

I doubt if any man in the city of New York knows the different officers of the municipality, and their duties, better than Richard Croker, unless it be some of the distinguished gentlemen here to-day.

It is as children grow up and have it impressed upon them that they are to share the responsibility of serving their fellows, that we shall have good citizens and shall obtain freedom from the evils that now beset our municipal and national governments. As we revive the belief in the nobility and dignity of citizenship; as we increase the belief in the worthiness of public service; as we impress upon our children the necessity of common service for the common good, so we will get good citizens and remedy all the evils of government with which we are now affected.

The Conference then adjourned until Friday morning, May 10, at 9.30 o'clock.

CHAMBER OF COMMERCE ROOMS,

Rochester, May 10, 1901, 9.30 a. m.

PRESIDENT CARTER: The first order of business will be the report of Mr. George Burnham, Jr., of Philadelphia, as Chairman of the Committee to Invite the Co-operation of Business Bodies.

Mr. Burnham then presented the following report:

REPORT OF THE COMMITTEE TO INVITE THE CO-OPERATION OF BUSINESS BODIES.

To the National Municipal League:—

Your Committee to Invite the Co-operation of Business Bodies begs leave

to report that the Executive Committee appointed the following members to address the business organizations of the country in reference to affiliation with the National Municipal League:

Frank N. Hartwell, Louisville, Ky.
Oliver McClintock, Pittsburg, Pa.
E. M. Thresher, Dayton, Ohio.
Samuel B. Capen, Boston, Mass.
William P. Bancroft, Wilmington, Del.
George Burnham, Jr., Chairman.

The following organizations were already affiliated with the National Municipal League:

Board of Trade, Dayton, Ohio.
Board of Trade, Jacksonville, Fla.
Board of Trade, Jersey City, N. J.
Board of Trade, Little Rock, Ark.
Board of Trade, Oakland, Cal.
Board of Trade, Pasadena, Cal.
Board of Trade, Reading, Pa.
Board of Trade, Scranton, Pa.
Board of Trade, Washington, D. C.
Board of Trade, Wilmington, Del.
Chamber of Commerce, Astoria, Ore.
Chamber of Commerce, Fresno, Cal.
Chamber of Commerce, Spokane, Wash.
Chamber of Commerce, West Superior, Wis.
Commercial Club, Bowling Green, Ky.
Commercial Club, Dallas, Tex.
Commercial Club, Indianapolis, Ind.
Commercial Club, St. Paul, Minn.

The committee after consultation drafted the following letter, which was sent to some of the leading commercial organizations in the country:

"To the Board of Directors:

"GENTLEMEN:—The object of the National Municipal League is to promote the study of municipal questions and to secure the adoption of the best practical methods for solving the most important problems in the government of American cities. It is composed of 115 affiliated organizations, and has held eight annual conventions, which have been attended by delegates and by leading business men and students of municipal problems from all parts of the country.

"The League has no connection with state or national issues. At the Conference held in Columbus in November, 1899, a Municipal Program in the form of a municipal corporation act was presented. It has attracted the widespread attention of the public press and the approval of many eminent authorities on municipal government.

"It is most desirable that progressive commercial bodies should aid us in

this work, as nothing more powerfully affects the commercial well-being of cities than the character of their government. We have on our list of affiliated members a number of prominent commercial bodies, a list of which is appended.

"We therefore respectfully suggest that you will make application for affiliated membership.

"As the League is supported by voluntary contributions and by the fees of individuals who become 'associate members,' no financial liability is involved.

"By order of the Committee:

"GEORGE BURNHAM, JR., Chairman, Philadelphia;

"FRANK N. HARTWELL, Louisville;

"OLIVER MCCLINTOCK, Pittsburg;

"E. M. THRESHER, Dayton, Ohio;

"SAMUEL B. CAPEN, Boston;

"WILLIAM P. BANCROFT, Wilmington;

"Committee."

The following bodies have accepted the invitation thus extended and have been admitted to affiliated membership:

Chamber of Commerce, Los Angeles, Cal.

Louisville Commercial Club.

Business Men's Association of Butte, Montana.

Saginaw (Mich.) Board of Trade.

Louisville Board of Trade.

Seattle Chamber of Commerce.

Indianapolis Board of Trade.

Spokane Chamber of Commerce.

New Albany (Ind.) Commercial Club.

Newton (Kas.) Commercial Club.

The following organizations have the matter of affiliation under consideration:

St. Paul Chamber of Commerce.

Norwich Board of Trade.

Boston Board of Trade.

Commercial Club of Albert Lea, Minn.

Binghamton (N. Y.) Board of Trade.

Commercial Club of Kansas City.

Denver Chamber of Commerce.

Deadwood Commercial Club.

Skowhegan (Maine) Board of Trade.

Your committee respectfully calls attention to the admirable work done by some of the leading commercial bodies, namely, those of the Merchants' Associations of New York and San Francisco, the Cleveland Chamber of

Commerce, the Ohio State Board of Commerce, the Scranton Board of Trade, and the Pittsburg Chamber of Commerce, reference to which has already been made by the Secretary in his report.

It is respectfully suggested, however, that a still more extended effort should be instituted to bring before the commercial bodies of this country the possibilities before them in the way of useful service to their respective communities along the lines of municipal betterment.

On behalf of the Committee,

GEORGE BURNHAM, JR.,

Chairman.

On motion the report was accepted and the Committee continued.

DR. TAYLOR: I have a resolution I would like to offer at the present time, which is as follows:

"Resolved, That the Executive Committee be requested to consider the question of the federation of the National Municipal League, the League of American Municipalities, the American Society of Municipal Improvements and other national bodies devoted to municipal problems; and that that Committee be hereby authorized to correspond and confer with said bodies upon the subject of federation; and that the Committee be hereby authorized, in its discretion, to arrange a joint meeting of said bodies as a first step toward such federation, if this shall be found to be practicable."

The motion, duly seconded, was referred to the Executive Committee.

PRESIDENT CARTER: Rev. Dr. I. J. Lansing, of Scranton, Pa., will present a report on "Fifteen Months of Reform Work in Scranton."

Dr. Lansing then read a paper on "Municipal Reform Work in Scranton." (See Appendix.)

PRESIDENT CARTER: Mr. Callendar will read a report on conditions in St. Louis, written by the Hon. Charles Nagel.

Mr. Callendar then read Mr. Nagel's paper on "The Municipal Situation in St. Louis." (See Appendix.)

PRESIDENT CARTER: Mr. Richardson will read a paper on conditions in New Orleans, written by the Hon. W. W. Howe, of that city.

Mr. Richardson then read Judge Howe's paper on "The Municipal Situation in New Orleans." (See Appendix.)

PRESIDENT CARTER: Secretary Woodruff will read a paper on "The Chicago Street Railway Situation," prepared by Mr. William Ritchie.

Secretary Woodruff then read Mr. Ritchie's paper on "The Chicago Street Railway Situation." (See Appendix.)

PRESIDENT CARTER: Mr. Herbert B. Ames will read a paper on "Municipal Conditions in Montreal."

Mr. Ames then read his paper on "Municipal Conditions in Montreal." (See Appendix.)

MR. BURNHAM: I would like to ask the last speaker if there is any registration in Montreal?

MR. AMES: Our voting lists are prepared by the assessors, and they put on the roll the names of all who pay taxes. No person who is in arrears to the city for taxes on the first of December is put on the roll; or if he be already on the roll his name is stricken off. Those remaining compose the voters' list. A difficulty arises from the fact that while a person may pay his tax in December, he may disappear by February. That makes it necessary to use descriptive cards. We have now in use some forty thousand of these descriptive cards. They give a full description of the person; his height, weight, complexion, color of hair, whether wearing a beard, moustache, both or none, etc. It is only by doing this that we can prevent fraud. The personation of voters was practiced before we did this.

MISS SUSAN B. ANTHONY, Rochester: Do the women taxpayers of Montreal vote?

MR. AMES: Yes; all who pay taxes have a right to vote; but I must say that very few of them do vote.

MISS ANTHONY: Then you should educate them to vote.

MRS. HOOKER: I would like to call attention to the fact that it was the women of New Orleans who settled the sewage question. The wife of Colonel Waring, although not a speaker and not a woman suffragist, called a meeting there and urged the women to throw their influence in behalf of the proposed system. They did and it was adopted.

May I say that now I am one of you? I want to thank you for your vote of thanks yesterday, because it was given me as a courtesy; but I want to say now that I am a member of the League.

I want to call attention to the fact that I have a municipal suffrage bill before our legislature. I have been at it for twenty years, although I was told I would lose my womanhood; but I have a better bill this year than last. Our committee is working very hard to carry it through. I came here in the hope that your League would say something that I might carry back to the women of my city. I do not think I ought to ask you to pass a resolution, but you might say that women are stockholders in city affairs, as they are in banks, and ought to have a vote. Why, it seems to me you have been running like an old-fashioned two-wheel steamer all these years and have fastened up one of the paddle-wheels. When the necessity arises you will have to call upon some of your stockholders to help you out, and give the women stockholders a vote. If you cannot give public recognition you should use your private influence, and have your wives and mothers and sisters help.

Let me say, gentlemen, when we have a vote, we will accept all the responsibility to govern that goes with it. We will open the Sunday schools and churches to all instead of the saloons.

My friends, all I want is that you should give your kind attention to making the women want to vote and they will vote. You cannot understand what it is for us women to beg for something we ought to have

as a right. Again I thank you for the vote of thanks given me yesterday.

DR. LANSING: There is one question I would like to ask the gentleman from Montreal. How many voters are assigned to a person responsible for the identity of the men and the preparation of the cards he speaks about?

MR. AMES: At first the work of getting out the cards was done by volunteers. After a time men were employed for about six weeks, who spent their entire time in getting descriptions, and each could get about twenty-five in a day, at a cost of about eight cents per card.

MISS EARLL: If not out of place, I would like to say something in addition to what Mrs. Hooker said.

PRESIDENT CARTER: I must say that at the first meeting of the League the question of woman's suffrage was brought up, but realizing that it was a different matter from that which the League was engaged in, and not germane to it, it was ruled that it could not be admitted, and consistency compels the chair to adhere to that rule. I can only say that it would not advance the interests in which we are engaged; that it would not help in any way the discussion of municipal questions.

Discussion of the papers already presented is now in order.

MR. RICHARDSON: I would like to say something about a point alluded to by Mr. Ames, and that is the question of a referendum. The subject being most interesting to me, I am anxious for information on the question. Suffrage in Canada being limited to taxpayers makes it very different from the American cities and lessens the difficulties to a marked degree. We have not that feature in the American cities, and I do not think it would now be possible to restrict our suffrage; but a referendum would apply and do as much good in our cities as in the cities of other countries. I think the existence of a good referendum law would prevent a majority of the attempts to get "the best" of our cities by men who want to get franchises and privileges at little or no cost. The mere existence of the power in the people to refuse them would have a good effect, and we should advocate this principle more than we do. We could reach the mass of the voters to a far greater extent than is generally thought possible. I think it is no exaggeration to say that a vast majority of the voters of this country do not pay taxes at all, and appeals to them based on the necessity of an economic city government do not reach them. Many would no doubt rather see a street badly paved than well paved, because in time they may get the job of repaving it.

That makes it of special advantage to consider the question of municipal ownership of the utilities. These people can understand, however, the difference between a three-cent fare and a five-cent fare when you bring that to them and keep it before them, and couple it with a merit system as being necessary to it. In that way you have a means of obviating the slavery under which they labor by the present system.

SECRETARY WOODRUFF: A friend of mine once said the Municipal

League existed to keep reformers encouraged. I think we should feel encouraged by the reports we have heard this morning. In Scranton there has been an improvement in a more conspicuous sense than even Dr. Lansing described. I know personally something about it; I know something of what has been done; and I feel there has been excited a growth of sentiment in that community in favor of better government, and that a great success has been achieved. I want to call attention to the fact that Colonel Hitchcock, to whom he referred, and who is with us to-day as a delegate from Scranton, has been appointed to the office of Director of Public Safety as a result of the interest excited in that community. I had hoped Colonel Hitchcock would say something as to the improvement which has taken place there.

COLONEL F. L. HITCHCOCK, Scranton, Pa.: I recognize the compliment paid me, but I have only just gotten into harness. I have only been in office about a month, and so know but little of the work. Scranton is not the worst place in the world. I have learned by the papers read that there are others. Perhaps the difference with Scranton is that we have been trying to clean house and have stirred things up.

I read in a paper, I think from away out in Kansas, where a man, speaking about the worst cities, spoke of Scranton. Scranton has its good points. We have the smallest public debt of any city. If Montreal claims to have the highest public debt, we have the smallest. Our per capita is only eight dollars. We spend less money for police protection than any city in the Union; perhaps we get less police protection. We spend less money for our fire department than any city, but we have a good fire department, and expect to have a better one.

We have a good many things there we don't want to have; we are cursed by the incubus of a private corporation water supply. How to get rid of that and give the water receipts to the city is one of the problems that confronts us. So with the liquor question and the social evil. They have been very prominent, but we are lessening them with good success. I think at the present time life and property is just as safe in Scranton as anywhere, and it is going to be made safer.

The trouble with us is that our people do not appreciate the necessity of looking into the details of city government. A short time after I was inducted into office I met many people who congratulated me. One of them, a lady, said: "Now you are in office we are not going to have any more trouble with cows on the street." That was her idea of the effect of municipal reform.

We have twenty square miles of territory and 106,000 people. Scranton has grown like a big overgrown boy. It is only forty years old. We have got a large amount of suburban territory to look after, and the cows will graze in the streets; but I am going to work to keep them off in the future. In regard to other things, I do not think we are worse off than other people, but we are going to be better.

MR. SPAHR: I would like to ask Dr. Lansing for the name of the gentleman to whom he referred as taking so much interest in the reform movement?

DR. LANSING: I am glad the question has been asked, for I am only too pleased to give his name. He is a man all could honor. Courteous and gentle in the fullest sense, he is one of the best fighters I ever knew; suave and amiable, he can be firm and resistless in doing what he thinks is right; he is as kind a man as I ever knew; yet more courageous than a lion in conflict, never to be turned from his purpose if that purpose be a just one. He is a man who, while wealthy, is keen to public interests, and stints not when the occasion demands it. He is worthy the respect of every man; and he commands that respect. The people of his city honor him, and are proud to follow his leadership. He deserves any office that it is in the power of the people to bestow. He should be President of the United States, but he does not want office. His name is E. B. Sturges, and I am glad to give his name to the members of the National Municipal League.

SECRETARY WOODRUFF: I move that the papers on the program, which were to be presented and read, but were not, be included in and published as a part of the proceedings.

Upon motion the papers of Messrs. R. Fulton Cutting on "Anti-Tammany Union;" of John F. Moors on "The Boston School Situation;" of Howard Hamilton on "The Citizen's Association of Biddeford, Me.," and of J. R. Freud on "San Francisco's New Charter," were directed to be inserted in the Proceedings. (For these papers see Appendix.)

The motion was duly seconded and carried.

THE SECRETARY: I would like to say, on behalf of the local committee, that the invitations to the dinner to the delegates are here, addressed to each individual. If any should be left out by mischance, if they will leaves their names with the clerk at the door, they will receive cards. Mr. Barbour desires me to say that the dinner is entirely informal. A good many of the Rochester gentlemen will attend in business suits, on their way home from business.

MR. AMES: I desire to say that the referendum of which I spoke refers to financial matters only. Our Common Council can grant a privilege for five years by a two-thirds vote. Our referendum is only in regard to the debt for public improvements. After the Council passes an ordinance for a public improvement it can then be referred to the voters of the city, and if a majority vote for it the Common Council then orders the expenditure of the money.

PRESIDENT CARTER: We will now take a recess until 2.30 p. m.

CHAMBER OF COMMERCE,

Rochester, N. Y., May 10, 1901, 2.30 p. m.

PRESIDENT CARTER in the chair.

PRESIDENT CARTER: The first business in order is the presentation of the report of the Committee on "Uniform Municipal Accounting and Statistics," by its Chairman, Dr. Edward M. Hartwell, of the Boston Statistical Bureau.

Dr. Hartwell then presented the report of the Committee. (See Appendix.)

PRESIDENT CARTER: Dr. John A. Fairlie, of Ann Arbor, Mich., will now read a paper on "Municipal Accounting and Statistics in Continental Europe."

Dr. Fairlie then read his paper on "Municipal Accounting and Statistics in Continental Europe." (See Appendix.)

PRESIDENT CARTER: Mr. G. W. W. Hanger, of the United States Department of Labor, will present a paper on "The Collection of Municipal Statistics in the United States."

Mr. Hanger then presented his paper on "The Collection of Municipal Statistics in the United States." (See Appendix.)

SECRETARY WOODRUFF: Dr. Bemis is unavoidably detained in Cleveland on public business. I therefore move that his paper on "The Public Control of Municipal Statistics in the United States" be included in the Proceedings.

Which motion was duly seconded and carried.

(For Dr. Bemis' paper, see Appendix.)

PRESIDENT CARTER: A paper on "The Municipal Accounts of Chicago" will be read by Mr. Charles W. Haskins, Dean of the New York University of Accounting and Finance.

Mr. Haskins then read his paper on "The Municipal Accounts of Chicago." (See Appendix.)

MR. RICHARDSON: I feel that this question of uniform municipal accounting is most important. I would therefore move that the Committee be continued. I would also suggest that in addition to the admirable work they are doing in suggesting a system of accounting and statistics that they should prepare a paper showing the advantages thereof, and further suggest drafts of bills to introduce the system in such form that it may be sent to legislators and officials and all others whom they may deem best suited to bring about the needed change.

The motion was duly seconded and carried.

MR. F. N. HARTWELL: I desire to present the following resolution:

Resolved, That the delegates and officers of the National Municipal League wish to express their appreciation of the kind and generous hos-

pitality extended to them by the Rochester Good Government Club; the Chamber of Commerce and the Rochester Bar Association; and also to acknowledge their indebtedness to the press of the city for the generous allotment of space given to the accounts of the proceedings of the League."

The resolution, duly seconded, was carried unanimously by a standing vote.

On motion the Conference adjourned *sine die*.

APPENDIX

CONTAINING THE

PAPERS READ BEFORE THE ROCHESTER CONFERENCE

FOR GOOD CITY GOVERNMENT.

A YEAR'S MUNICIPAL ACTIVITIES.

CLINTON ROGERS WOODRUFF,

Secretary, National Municipal League, Philadelphia.

The time was, and that not so very many years ago, when a discussion of the American municipal problem consisted of a few quotations from James Bryce's "American Commonwealth" concerning our failure in governing municipalities; and in repeating President Andrew D. White's conclusion that American cities were the worst governed in Christendom. Following this period of generalization came one of description, when there was an extended effort to describe the actual conditions and ascertain whether these general conclusions were justified. Then came the effort to find out the underlying causes of our inefficiency and shortcomings and to apply such remedies as were available.

There has been no more encouraging feature of our public life than the growing appreciation of the importance of the municipal problem. It was not until the opening of the last decade of the Nineteenth Century that the people began to appreciate the fact that there really was such a problem. Cities had been mainly engaged in increasing their population, boundaries and material resources. They had scarcely given a thought to the broader and deeper question of municipal life. If a city could report more inhabitants, additional territory annexed and the location of a dozen or more new industrial plants within its limits, it rested content with a feeling of having fulfilled its whole duty.

Outside of a few isolated efforts like the work of the New York and Pennsylvania Municipal Commissions which made their reports in the late seventies, there was no attempt to study our cities and their government from the standpoint of administration and politics; and outside of the work of a few bodies like the original Committee of Seventy in New York and the Committee

of One Hundred in Philadelphia and a few similar bodies in other cities, there was no attempt to correct existing abuses or to arouse the people to the danger they ran if they continued to permit corrupt and selfish politicians to retain control of affairs for selfish and partisan ends.

Members of the National Municipal League fully appreciate how conditions have changed; how public interest has expanded; how efforts at improvement have multiplied, and how the study of the problem in all its phases has grown and with what salutary effect in many quarters. A careful reading of its seven volumes of *Proceedings* should fill the most despondent with reasonable hope that it will not be many years before the statements of Bryce and White will prove inapplicable.

At the Philadelphia Conference for Good City Government, out of which the National Municipal League grew, there were two general principles laid down as of first importance and without which it was maintained it is impossible to secure a full measure of good municipal government. The first was that "the highest principles of municipal self-government in the United States are materially promoted by the absolute separation of municipal politics from national and state politics." The second was a natural corollary of the first,—that "municipal issues must be determined from a municipal standpoint." The experiences of seven years has demonstrated the soundness of these principles and has seen their more general application to actual existing conditions than was then thought possible.

The work of the Municipal Voters' League of Chicago affords an admirable illustration of the recognition of these principles. In 1896, fifty-eight of the sixty-eight members of the Chicago Council were organized into a corrupt "gang for public and corporate plunder." This represented the consummation of a long course of development which had been marked by open and shameless corruption. Within a single year it had granted "to public service corporations and black-mailing syndicates, composed in part of its own members, six great franchises of untold value, in shameless disregard of the public protest and the mayor's veto." A Municipal Voters' League was formed to secure the election of aggressively honest men to council, regardless of their partisan

views; in short, men who placed public interest and welfare before party affiliation or considerations.

This League has participated in six campaigns. In its first, twenty candidates having its approval (two of them Independents) were elected. Fifteen fully justified this confidence. In 1896, the League's recommendations were followed in twenty-five wards, and in five it was unsuccessful; in 1897, it was successful in twenty-three wards and unsuccessful in thirteen; in 1898, it succeeded in twenty-three and failed in eight; in 1899, the League's recommendations were followed in twenty-five wards, and while the Democratic candidate for mayor carried nearly every ward, in seventeen wherein he had majorities, Republican councilmanic candidates, endorsed by the League, were elected. In 1900 and 1901, the League's endorsements were followed in about the same proportion and the "gang of 1895 is no more." To quote from a well-informed authority, "Four only of its members, now a hopeless minority, linger on the scene of their former exploits, to mourn the good old days when 'aldermanic business was good.' The feeble band of faithful members of five years ago became a minority of one-third, enough to sustain the mayor's veto, after the first campaign of the League; two years later it became a majority, and in 1899 it rose to two-thirds of the council and organized its committees on a non-partisan basis. These results are due to a disregard of party names by voters."

The activities and accomplishments of the Municipal Association of Cleveland tell a similar story. For at least a generation a majority of the Cleveland Council has favored the free granting of important and valuable franchises, and the letting of contracts for the benefit of the contractors rather than of the taxpayer; or to put it as one shrewd observer did, "The council has been on a par with other councils of large cities throughout the country. It has been organized for jobbers." A year ago the Association inspired the nomination in certain districts of conscientious and public-spirited men for seats in the council. It succeeded in electing an honest minority; but thirteen out of the twenty-two members were solidly organized to promote the interests of private parties and corporations. This year the Association directed its efforts to capture the council. So skillfully was the campaign managed

that every member of the thirteen who offered himself for re-election was defeated with a single exception, and he was only pulled through by a majority of five in a ward which went overwhelmingly for the other candidates on his party ticket. Together with the honest minority holding over, the new recruits for decent government will control the council and enable the clean and capable men to organize it. Cleveland now has, according to the Municipal Association, a council composed of a majority of incorruptible men because the voters of that city have placed the city's interest above partisan considerations.

The Association won an equally important victory in the matter of the School Board by defeating an attempt to control it in the interest of partisan politics. The board is composed of seven members, elected at large. A year ago, when the School Director attempted to remove the efficient superintendent who was not amenable to political arguments, the board sustained the latter. The question which the voters of Cleveland had to determine this spring was whether they would elect members of the School Board who would support the superintendent in his stand for political freedom. To their credit they did. They elected men pledged to the exclusion of political considerations in the appointment, promotion and dismissal of teachers, so that hereafter educational, not party interests, will receive first consideration.

The experience of Providence, R. I., is equally convincing. At the November, 1900, election, for the sixth consecutive time the voters ignored party considerations in local matters and selected a representative non-partisan for mayor. The city went Republican for President, and elected D. L. D. Granger, the Good Government and Democratic candidate for mayor, the voting being:

For President—McKinley, 12,592; Bryan, 7,287; Wooley, 410; Maloney, 740. For mayor—Granger, 11,369; Goff, 9,598; Henrick, 810; Perkins, 223.

That Providence should cast 971 votes more for the mayoralty candidates than for presidential electors, and display such careful, discriminating and intelligent disregard of party lines and especially at an election when the tendency is to stand by the party nominees, whether good or bad, speaks well for the state of its public opinion and for the solidity of the public sentiment in favor of the

divorce of municipal affairs from state and national politics. Moreover, it is eloquent evidence of the efficiency of the genuine Australian ballot system, which prevails there, as an adequate instrument for a fair expression of the people's will.

Providence is not the only New England city, however, to cast aside party lines in local elections. Springfield, Mass., has an equally honorable record, which it amply sustained last November. Boston is a Democratic city with a Republican mayor; Worcester, Mass., is a Republican city with a Democratic mayor; and Newport, R. I., although strongly Republican in national politics, has elected Democratic mayors for five years past. Democratic New Haven elected a Republican mayor this spring. The municipal government of Biddeford, Me., is and has been for several years on a non-partisan basis; the Citizens' ticket has been chosen for several successive elections to the manifest advantage of the city's revenues, tax rate and improvements. The neighboring cities of Saco, Old Orchard and Waterboro have followed its footsteps, electing "Citizens'" tickets, made up of candidates pledged to regard local interests as of first and exclusive importance.

In the Central West the tendency to break away from party lines is equally marked, and is steadily increasing. Mayor Jones, of Toledo, has twice been re-elected on a non-partisan platform. Mayor Johnson was elected in the Republican city of Cleveland, on a platform which confined itself solely to municipal issues, at an election when the rest of the Republican ticket was elected by substantial majorities.

Citizens' tickets won at the spring elections in Washington, Perry and Centerville, Iowa, and in numerous other small towns throughout the West. Indeed the smaller communities seem to be readier to cast aside party considerations in local elections than their larger sisters, although the tendency in these to decide elections from the point of view of municipal issues is growing with great rapidity. The experiences of Chicago, St. Louis, Cleveland and San Francisco may be cited in corroboration. The municipal elections in each of these cities were decided upon municipal issues. Mayor Harrison was re-elected because of his attitude on the question of municipal franchises. In St. Louis, Mayor Wells was elected because of his pre-eminent fitness and high character against

a Republican candidate who represented the dominant political organization, and in face of a serious split in his own party. Mayor Johnson, of Cleveland, owes his election to his stand in favor of a three-cent fare, and Mayor Phelan's record was such that the people of San Francisco were willing to entrust to him the inauguration of the new system provided for in the new charter, notwithstanding his national political affiliations.

Even conservative Philadelphia is making substantial progress towards ignoring of party lines. At the last November election, notwithstanding the strongly partisan character of its voters and the fact that it was presidential year, a Republican majority of 115,478 for President was reduced to 47,130 for city treasurer. The Chairman of the Municipal League Campaign Committee said with much force at the conclusion of the campaign, "It was well said, after the defeat of the Continental army at Bunker Hill, 'The British can't stand many such victories as this.'"

The demand for municipal home rule, like that for the direct election of United States Senators, is steadily growing in force and favor. Primarily, it too must depend upon constitutional changes; although some progress may be made through legislative enactment. This, however, must be an unsatisfactory method because it is always possible for one legislature to undo what its predecessor has done and to use its authority to interfere in matters with which it has no legitimate concern. The constitutional power of the cities of Minnesota and California to frame their own charters is of great importance. It establishes them firmly upon a home rule basis and gives them an ample and adequate opportunity to work out their own salvation in marked contrast to the cities of Massachusetts, New York and Pennsylvania, which are constantly at the mercy of the state legislature.

The vicissitudes of New York City under its several charters is a familiar story. The residents of the city have little to say as to the form or content of their frame of government and the legislature, a large percentage of whose members live without the limits of the city, determine questions of vital importance to millions of people, to whom they owe no direct responsibility, without due consideration and often at the dictation of a party caucus or boss. The recent revision, which it is true has some excellent features,

was on the whole so faultily drafted in many respects that the legislature was compelled to pass subsequently at the same session a number of remedial bills.

It has remained for Pennsylvania, however, to go to the full extreme in the matter of state legislative interference with local affairs at the dictation of factional politics. The present session of the legislature passed a new charter bill for cities of the second class (Pittsburg, Allegheny and Scranton), which not only legislated out of office the present officials, who had been duly elected by the suffrages of the people; but gave to the governor the power of appointing other officials in their stead to hold office, not until their successors are elected next autumn, but until 1903! If this is not depriving these cities of their rights and powers of local self-government it will be difficult hereafter to determine what does. It is almost needless to add that this usurpation of power has been questioned and that the Supreme Court has been called upon to determine whether Pennsylvania cities have any rights which the legislature is bound to respect.¹

Notwithstanding the setbacks in these states and in those places where state constabularies are proposed, the home rule cause is going forward, and during the past year has won some notable victories. The time was, and that not so very long ago, when there were few to challenge the right and wisdom of a state legislature to determine local matters. Now there is not a state where there is not a strong sentiment in favor of "hands off of local affairs." Indeed had the tendency toward state interference continued much longer it is a serious question whether the instinct for local government would have survived. Fortunately the reaction came in time and now there is a growing realization that while for certain purposes, like health and education, the city must act as the agent of the state, and that the latter must preserve a certain administrative supervision, as has been pointed out by the National Municipal League's Committee on Municipal Program, the city for all questions of purely local concern should have sufficient power to determine and execute its own policy.

An effort to subject the city government of Portland, Ore., to

¹ The Supreme Court has since affirmed the right of the Legislature to enact such legislation.

the necessities of the state machine and legislature fortunately failed. A bill was passed by the recent legislature appointing a non-partisan commission of citizens of Portland to draft a new city charter. It was the first recognition in Oregon of the right of a city to draft its own organic law. Shortly after this action, and in direct contradiction of it, the legislature passed a charter of its own for Portland, and it was only through the interposition of the governor's veto that the effect of the original bill was preserved; otherwise, the city would have been subjected to an instrument that represented only the exigencies and demands of the dominant political faction.

Chattanooga, Tenn., has also won a home rule victory. No city for twenty years has suffered more from legislative interference, accomplished, as usual, by interested politicians. The city was practically governed from the state capital. The reformers of the city have been making steady war against this condition of affairs, and at last they have been successful. Former Mayor Ochs describes the situation thus: "We now have home rule in every sense of the word, and there will be no further meddling in our municipal affairs by gubernatorial appointments."

The movement for charter revision which represents the effort of communities to adjust their governmental machinery to new conditions goes steadily forward. There has been marked improvement along all lines of activity except the governmental, and a realization of this has led to a demand for charter reform. To enumerate the various attempts of the year is out of the question; it would include a roll call of the states and of the leading cities. This is a healthy sign; one, the importance of which must not be underestimated. That the people of our municipalities are discontented with their present municipal conditions, indicates that they have changed their standards for the better.

Special mention, however, must be made of Wisconsin, which bids fair to assume a position of leadership in intelligent charter legislation, judging from the bills now pending and actively supported by the League of Wisconsin Municipalities and the Milwaukee Municipal Association. One provides for the biennial election of mayors, treasurers and comptrollers in second, third and fourth class cities, and lodges in the mayor, subject to con-

firmation by two-thirds of the common council, the appointment of all other officers, except aldermen, members of the school board and of the police and fire departments. Another, relating only to cities of the first class, makes the mayor the chief executive officer of the city, and gives him the power to appoint all municipal administrative officers now elected by the people, except the comptroller, who is to be appointed by the commissioners of the public debt. All such officers so appointed shall hold office without fixed terms, and their appointment does not require the sanction, consent or approval of the common council. The mayor is given the right, without a vote, to participate in the proceedings of the council or of any administrative board. He is subject to removal on charges by the governor and has conferred upon him every executive duty, power or authority now conferred on the common council. This measure is modeled on the lines of the National Municipal League's Municipal Program. A third bill, also relating to cities of the first class, establishes a common council composed of one alderman from each ward, twelve elected at large, each with a four years' term, the mayor having power to fill temporary vacancies. This bill was proposed by the Municipal Association of Milwaukee, and is likewise based on the suggestions of the Municipal Program. These measures represent a long step forward towards a concentration of administrative authority in the hands of a responsible officer and a partial obliteration of the arbitrary ward lines which have given rise to so much pernicious log-rolling and bad legislation.¹

That their introduction follows the Milwaukee meeting of the National Municipal League in September, 1900, at which all the principles involved were carefully discussed, constitutes a telling evidence of the direct influence of such meetings upon public opinion. Furthermore, they afford evidence of the active and intelligent interest which city officials are beginning to take in municipal improvement, as one of the bills was drafted by and I think all were supported by the League of Wisconsin Municipalities, composed of the city officials of the state.

The League of California Municipalities has an equally creditable record. Ten important bills and a constitutional amendment

¹ See paper of Charles E. Monroe on "Charter Legislation in Wisconsin," forward.

pertaining to various greatly needed changes in the laws relating to municipalities were at its instance prepared, urged, and, with a single exception, enacted into laws at the recent session of the California Legislature. These bills dealt with the establishment of public libraries, etc., assessments for public improvements, bonded indebtedness and franchises, and like subjects. Certain other legislation regarded as improper and improvident is to be attacked on constitutional grounds. When city officials unite with public-spirited citizens to promote good and oppose bad legislation and to forward public improvements, we have a condition of affairs fraught with large possibilities.

The Wisconsin and California Leagues, as well as the Iowa League of Municipalities, publish excellent monthly magazines—*The Municipality*, *California Municipalities*, and *Midland Municipalities*—for the dissemination of news and information concerning municipal affairs. The city officials in Pennsylvania, Ohio, Indiana, Illinois, Michigan, Kansas, Texas, Tennessee and Colorado are now organized and we have often had occasion to refer to the hopeful possibilities of their national organization, the League of American Municipalities. City engineers and those occupied with the technical phases of city work are organized into an American Society of Municipal Improvements, which is accomplishing solid results. Both bodies have large opportunities, which their officials are beginning to realize at their true value.

The business and commercial bodies constitute another factor making for improvement in municipal affairs, especially along material lines and in the direction of the protection of the city's interests from legislative attacks.

The most notable achievement of the past year in this direction was the repeal of the Ramapo Water Company's charter at the instance of the Merchants' Association of New York. It will be recalled that the stand of Comptroller Coler and the Merchants' Association two years ago halted the Ramapo deal. They prevented the ratification of the proposed contract, but they could not repeal the charter. This the legislature alone could do. The press and public demanded it; but the legislature of a year ago did nothing beyond passing an act making a new contract against the city's interest more difficult of accomplishment. Although the danger

was still great, there was general public apathy. At this point the Merchants' Association stepped in and took up the fight, and at the expenditure of great effort and large sums of money, freed the people of New York from the grasp of a powerful monopoly. It is not too much to say that this fight of the Merchants' Association of New York represents one of the most conspicuous services ever rendered to a municipality by a commercial body.

The anti-Ramapo campaign, however, by no means represents all the Association's activity. It has striven to arouse public sentiment in various other directions; it has proposed sundry greatly needed reforms and opposed attempts at vicious legislative interference and has published a volume on the "Water Supply of the City of New York," which will long remain a standard authority on the subject.

The work of the Merchants' San Francisco Association likewise deserves special mention and high credit. Not alone instrumental in the drafting and adoption of the new charter, it has sought in every possible way to co-operate in the enforcement of its provisions in the spirit in which they were enacted, thus setting an example worthy of general emulation. Too frequently organizations aid in the enactment of laws, which they seem content to allow to rest on the statute book without further effort to administer them. A law worthy of enactment is equally worthy of enforcement.

The Chamber of Commerce of Fresno, California, has resolved to take the initiative in a movement for a non-partisan municipal ticket to put into force and effect a new charter. In this move it has followed the lead of the New York Chamber of Commerce which brought the second Committee of Seventy into existence. The Cleveland Chamber of Commerce has taken up the question of the renewal of the street railway franchises and formulated a report which has attracted general and favorable comment. The Buffalo Business Men's Central Council has accomplished some much needed work along these lines of municipal economies. The various commercial bodies affiliated with the National Municipal League have contributed in various ways toward the solution of many vexed questions and have aided in correcting local abuses.

If there is one municipal question above another now pressing

for solution it is that of the relation of public service corporations to the municipality. Shall the city own, control or operate its electric-light and gas plants and water-works? Upon what terms shall street railway companies be permitted to run their cars over the highways? There has been widespread agitation of these questions under the somewhat misleading title of municipal ownership; and behind much talk and demagogery the people are seriously considering the whole subject in a way that promises important results. Wherever the people have had a chance to express their wishes it has been to the effect that no franchise should be granted except for limited periods and upon terms granting to the city adequate compensation and to users and consumers reasonable rates. It is now quite generally recognized that public service corporations constitute a serious menace to the political health of the community. Wherever they have been allowed to gain a foothold they have not infrequently extended their influence and increased their privileges by means which will not always bear the light of day. As has been pointed out in these reports, some of the gravest scandals have grown out of the activities of such companies. The Ramapo water deal has already been mentioned. The scandal attaching to the passage of the United Gas Improvement Company's lease and the Keystone Telephone Company's ordinance in Philadelphia, and the attempted passage of the Schuylkill Valley Water ordinance are now familiar history, as are the stories of the Broadway franchise and the passage of the Allen Law in Illinois. Nearly half of Scranton's council has been forced into dishonorable retirement by the exposure of its corrupt relations to telephone and similar companies. The malodorous records of the Cleveland and Chicago councils in connection with franchises have already been pointed out and it has only been a few weeks since the citizens of Kansas City resorted to a demonstration of force to prevent the passage of an obnoxious ordinance granting valuable franchises to a street railway company.

It is a well-grounded fear for the future of our city governments, in the face of such conduct and revelations, that has given strength to the movement for municipal ownership. Wherever it has been an issue it has won. In Chicago, Mayor Harrison, despite a peaceable record along other lines, was re-elected for a

second time over an opponent of high personal character and attainments, because of his brave and unequivocal stand in favor of the people's rights in the matter of municipal franchises and especially his attitude of hostility to the corruptions and aggressions of the street railway companies. Mayor Johnson won his election in Cleveland because of his declaration in favor of three-cent fares. In Columbus, Ohio, the same issue was before the voters and they decided it as did those of Cleveland. In Toledo, Mayor Jones, a firm believer in municipal ownership, was again re-elected largely because of his attitude on this question. In St. Louis the municipal ownership candidate polled upwards of thirty thousand votes and outdistanced the Republican candidate. In Butte, Mont., the vote was four to one for the municipal ownership of water, and three to one in favor of a city electric light plant.

A leading authority has stated with force and conciseness the causes back of this tendency :

"It is the resentment and righteous indignation excited by revelations of such corruption and robbery, and by evidence of the controlling power of the ill-gotten wealth in local politics, that are the chief forces behind the movement in our cities for municipal ownership. Of course there is also a belief that the profit now enjoyed by the holders of franchises wrongfully procured will be turned to the use of the public, in a reduction of the prices of service; but the real impelling force is derived from a conviction that these profits have been stolen from the people, and that both the character of municipal councils and the methods of municipal politics will be improved when the franchises are held and used by the elected agents of the people, to whom they belong. We believe that such would be the effect of the change wherever conditions are ripe for a transfer of control."

Municipal ownership leagues are organizing all over the country and securing large enrolments. Investigations by the United States Bureau of Labor and the Industrial Commission are being carried forward as are legislative and councilmanic investigations. Already a large mass of information has been gathered, much of which will prove of no inconsiderable value to those communities which will hereafter take up the matter for consideration and determination.

The value of much of the data thus collected is much impaired because of the lack of adequate and uniform methods of accounting. By reason of the multiplicity of methods now in vogue there is little or no possibility of reducing the figures to a common denominator. If the cities of this country can be induced to adopt uniform accounting methods a great gain will have been made. Then it will be possible to determine many questions now difficult, if not impossible, of solution because of the establishment of a basis of comparison.

The movement for uniform municipal accounting and statistics has recently received a large share of public attention. The question was considered at the Columbus Conference for Good Government in 1899. Since then a number of bodies, like the American Health Association, the National Electric Light Association, the League of American Municipalities, the American Economic Association and kindred bodies, including the National Municipal League, have appointed committees to consider the subject. A conference of these committees will be held in Rochester in May at the conclusion of the sessions of the League. It is expected as a result of their deliberations and activities that a considerable advance will be made in the near future. The general public and city officials are alike awakening to its importance, and the indications point to early action in the desired direction.

The demand for municipal ownership is by no means confined to the West, but is making rapid progress in the East. A well informed correspondent recently described the situation in New York as follows:

"The recent growth of public sentiment in favor of municipal ownership of franchises has been remarkable. The building of the underground railroad as a public work with public money, and the general protest against a contract with the Ramapo Company or any other private corporation for a water supply, are illustrations of the strength of this sentiment. A still later manifestation is the support given by the Merchants' Association to the bill to be introduced in the legislature to put forever under the control of the city all transportation facilities except those above ground. This would place under municipal ownership all sub-surface constructions in which telegraph and telephone wires, gas pipes and steam pipes are carried. But there are many who favor municipal ownership of all franchises whether below, above or on

the surface. They would have the city own all the street-car lines the gas and electric-light supplies, the water-works and the telegraph and telephone wires. To-day, in a call issued by the officials of the Municipal Ownership League for a meeting to be held at the Waldorf-Astoria next Friday, to take steps for an anti-Tammany union, it is said: 'The necessity for economy, the constant demand for city improvement, and our high tax rate, have called the people's attention to the loss to the city of the revenues which should have been derived from public franchises recklessly given away in the past, and have made the question of municipal ownership of all public franchises still undisposed of, together with the equitable taxation and regulation of those already given away, one of serious consideration and study by our citizens.' A large section of the Citizens' Union also favors municipal ownership. It is a question, however, if a campaign based on such a platform would succeed this year. A better platform would be simply 'down with Tammany,' leaving all other issues alone."

Without doubt the most important of the investigations during the past year was that of the Street Railway Commission of Chicago, which was created by a resolution of the city council, and composed of seven aldermen appointed by the mayor. This Commission was to examine into "the feasibility and practicability of the municipal ownership of street railways in Chicago and the terms and conditions under which this ownership may be established; and into the questions of the kind and amount of compensation and the conditions for the renewal of existing or granting of new franchises; kind of motive power best adapted to various sections of the city and at varying times; the condition in which the streets, highways and tunnels are to be placed and maintained by companies using the same; accommodations to be furnished passengers; amount of fares; commutation fares; transfers; terminal facilities and switches; extension of lines; the hours of employment and compensation to the employes; protection of the citizens against accident, and penalties for non-compliance with the laws, ordinances, rules and regulations."

After a year's conscientious study with the assistance of a competent secretary, who brought to his work an intelligent comprehension and sympathy, the Commission presented its report in December, 1900, reaching the following conclusions:

"1. The street railway business should be recognized as a monopoly, and treated accordingly. 2. If street railways are to

remain under private management some means must be devised for rendering public control more effective. The commission favors the reservation to the council of broad powers of control. 3. Cities should possess the power, under proper restrictions and safeguards, to own and operate street railways. The city may not deem it expedient to exercise this power, but with such a power in reserve to be used in case of need, the city would be in a position to make much better terms with private corporations. 4. In so far as practicable, the people should be given a direct voice through the referendum in the settlement of the most important questions of street railway policy. 5. Street railway companies are entrusted by the public with the management of a public business. The affairs of such companies, therefore, should be open and known to the public to the same extent as if the business were managed by the public directly. 6. The law should forbid over-capitalization. 7. Frontage consents should be required only when it is first sought to lay down tracks upon a street. The right of abutting property owners to prevent a street from being used for street railway purposes, regardless of the public need for a proposed railway, should not be absolute and unqualified. 8. The public has a right to demand uninterrupted street railway service. To that end, it has a right to insist that everything reasonably possible be done to prevent strikes and lock-outs. Companies, in accepting grants, should be required to submit all labor disputes to arbitration. 9. The Chicago street railway field is profitable enough to warrant the use here of the most desirable form of motive power which experience has shown to be practical. The overhead trolley should not be permitted in the business district."

The reasons for these conclusions were given at length and a bill was submitted embodying them in legal form for submission to the legislature. What will be the immediate local outcome of the Commission's work it is impossible to predict; it is safe to say, however, that the report will prove to be a most important and substantial contribution to the subject, and will prove of great service to the authorities of other cities who will be called upon to consider the street railway question.

The Cleveland Chamber of Commerce gave careful attention to the same subject as involved in a local ordinance providing for the extension of certain existing franchises. Its committee reported adversely on the measure to the effect that there should be no legislation looking to a renewal of existing franchises for at least two years, and that steps should be taken looking "to the appoint-

ment of a state commission similar to that whose work in Massachusetts has been accompanied with such gratifying results, to investigate present street railway conditions in Ohio and elsewhere." In the new Chattanooga charter, a direct limitation has been placed in the grant of franchises and a similar bill is pending in Wisconsin. This latter bill, which is modeled on the one prepared in 1896 by the Municipal League of Philadelphia, provides that no ordinance granting a franchise to perform a public service or to make use of public property or for the extension of an existing franchise shall be operative until sixty days have expired from the date of its passage, and if during that period voters to the number of 10 per cent of the total votes cast at the preceding election shall demand a submission of the ordinance to a direct vote it shall not become operative until so submitted and approved by a majority of those voting.

So far as the establishment of the merit system in cities is concerned, there has been no change in the system in New York and Massachusetts, where the civil service reform law applies to all cities. Elsewhere, the principal change in the situation has been in Chicago, where the Commission, which had been very unsatisfactory for some time, was re-organized eight or nine months ago, by the appointment of Colonel John W. Ela, at one time president of the local Civil Service Reform Association. He has since been elected chairman of the Commission, and has been doing excellent work in revising the examination system, and the system of promotions in the Police Department. Various vexed questions have been recently tested in the courts, the most important ones being recently settled in favor of the law.

In San Francisco, where civil service rules were embodied in the new charter, there have been some reverses. The city and county boundaries are coterminous. Their governments are virtually the same, and the charter provided that the rules should apply to city and county offices alike. The point, however, was made that under the constitution they could not be applied to the latter. This contention has been fought from court to court, and finally decided against the advocates of the law. About five county departments with upwards of one thousand employes are taken out from under its operation. The city departments are not

touched; but a bill has been passed by the legislature which provides indirectly for a virtual repeal of the law.

The application of this law is being contested, but if it is upheld it will mean that appointments may be made in violation of the law as often as the department's officer wishes without fear of the person so selected being subsequently disturbed. The matter has stirred up not a little excitement in San Francisco, and it has been interesting to note that among those who have most vigorously supported the reform are the labor organizations.

In New York, the Civil Service Reform Association has continued to keep up an active supervision of the operation of the local rules under Tammany, and has secured a considerable degree of observance in some departments. Wherever appointing officers can beat the law through the adoption of means of evasion they do so. Quite a number of these have been discovered by the Association, and checked by amendments to the rules made at its instance. In some cases, however, it is very difficult to get at the truth in such a way that correction can be made, and so that persons improperly appointed may be ousted. On a conservative estimate the Association has saved about a third of the ground, which, in view of the tremendous advantage that Tammany has in the mere possession of both the offices and the civil service machinery, is encouraging. Just at present the Association is attacking the promotion of nineteen captains, made by the Police Board in December. It is commonly understood that such promotions are secured either through political influence or by direct purchase. This is a link of no small consequence in the system of police extortion and protection of vice. At the Association's request the State Commission, which has all the powers of investigation of a committee of the legislature, has held three sessions, subpoenaing and examining a number of witnesses. It has already been proved that the promotions in question were made without compliance with the rules, and that the Police Commissioners, who controlled three-fourths of the percentage in marking, arbitrarily rated those men whom they wished to appoint in such a manner that they would come out in the desired order of appointment on the eligible list. While the matter is not yet closed, it is hoped to defeat these promotions. If successful it will be one of the most

important things thus far accomplished by the Association. The whole incident has gone to show to the public most clearly the results in misgovernment that are made possible through violations of the civil service law, and, on the other hand, the practical value of the law when honestly enforced, as a means of preventing such practices.

The new mayor of Providence, the Hon. Daniel L. D. Granger, in his inaugural address to the City Council on January 7 last, made the following reference to the necessity for the establishment of municipal civil service rules in that city, which is worthy of quotation not only because of its intrinsic worth, but because of its source :

"It is now many years since the beginning of the movement to restrict appointments for public employment to persons of ascertained fitness. It will never be forgotten that it was to a distinguished son of Rhode Island, the late Hon. Thomas A. Jenckes, that this country owes the introduction into Congress of measures looking towards a reform of the civil service. It is therefore most fitting that at even this late day this city should join the many other cities of the country that have removed the appointment and dismissals of its employes from the narrowness of personal selection and from political influence. The area of patronage subject to distribution by favor in our cities should be restricted to the narrowest possible limits. The first step to this end is to place the whole clerical force of the municipality by law under rules regulating appointments similar to those which govern the so-called classified system of the United States, while a system of registration should be established for the appointment of laborers employed by the Commissioner of Public Works. This gives to citizens of every rank an equal opportunity to work for the city, instead of confining it to the friends and acquaintances and, in some instances, relatives of the heads of departments, or to those having political influence, or as a reward for political service. A system of appointments by competitive examination is now in force in the cities of Illinois, where a majority of the voters approve the proposition at a municipal election, and in the cities of Milwaukee, San Francisco, Seattle, Columbus, O., New Haven, Galveston. I recommend that a joint special committee be appointed to examine into this question."

Auspicious words indeed coming from a newly inaugurated mayor of a large city!

There are many other phases of the municipal problem which

deserve attention, but which can only be mentioned briefly in this connection. The question of the official protection of vice and immorality is of itself sufficient to consume all the time and space at our disposal. That there is such protection in our larger cities is now a generally accepted fact. The question pressing for solution is: How shall the partnership generally believed to exist between the municipal authorities on one hand and the forces of evil on the other, be effectually broken up? The New York Committee of Fifteen is giving its attention to this problem, and in its preliminary report has touched upon some of its more important features. One of its recommendations is deserving of immediate consideration upon the part of all interested in the cause of better government. It is this:

"The necessity of providing suitable places of meeting where the people in each neighborhood can come together and discuss the evils that effect their civil life; where they may from time to time meet their representatives with a view of obtaining from them an account of their stewardship, and where remedies may be proposed and discussed. The Committee has, in the course of its labors, been deeply impressed with the practical helplessness of the mass of the people in any attempt to secure their rights, owing to the lack of one of the elementary provisions requisite for the assertion of such right, namely, convenient and suitable places for halls of assembly. A hall of assembly is an indispensable organ of a democracy. What the town hall is in the New England village, that assembly halls should be in the modern city. The Committee recommends, therefore, most heartily that in each assembly district one suitable assembly hall shall be built which shall be kept available for the meetings of citizens. Whether this shall be done in connection with the new public libraries, which are likely to be erected in every part of Greater New York, or separately from these, may be left for future consideration."

These are words of profound import and deserving of thoughtful consideration. Too little of the time and attention of the average voter is given to a discussion of local questions, and there is no opportunity for him to do so even if he so desired. Furthermore the training of our children and young people is inadequate along these lines, although signs of an awakening in this direction are at hand. Organizations like the Patriotic League, the Gill School City, the George Junior Republic, the Good Government Club of Syracuse, are furnishing much needed instruction in the

fundamentals of citizenship. It is most gratifying that the various publications of the first mentioned, like the "Young Citizen," the "Citizens' Catechism," the "American Patriot," "Talks on Citizenship," "City Problems," and the "Life of Colonel Waring" are having an extended sale. The work of bodies like the Municipal League of Philadelphia in neighboring colleges is also a hopeful effort in the same direction.

There has been no cessation in the demand for electoral and ballot reforms. Success has crowned the efforts of reformers in some places; in others, selfish partisan interests and corporate influences have blocked the way toward directness in voting both at the general and primary elections and toward an elimination of all partisan advantages and equalities on the official ballot. In Pennsylvania the personal registration constitutional amendment has been finally passed again by the legislature and will be submitted to a vote of the people this autumn. The ballot reform bill, however, has been defeated. The Australian system has been established in Maryland. In Minnesota the primary reform bill of a year ago has been extended in its operations to cover all the cities. The Pennsylvania House of Representatives passed a primary election bill, but its defeat in the Senate is foreshadowed.¹ In Wisconsin the Senate has openly and defiantly repudiated the Republican pledges for primary reform; and there has been a similar failure in Michigan. In Chicago a movement has been inaugurated to introduce the Australian system in local elections.

The activities of the larger and more important affiliated members of the National Municipal League have shown no diminution during the year. None have abandoned the field. On the contrary, all seem to be imbued with a sterner sense of duty and a more persistent intention to keep up the contest with unabating vigor.

The Baltimore Reform League's last annual report set forth a series of efforts of great importance and projected still others equally so. One paragraph is specially worthy of reproduction as showing the substantial character of the gains for good government in which the League has been mainly instrumental:

"Those departments of the city government wherein we have noted with great satisfaction a marked and most gratifying

¹ It has since been defeated.

improvement over the standards and methods of all previous administrations since the organization of the League are precisely those organized by the mayor without regard to partisan or factional considerations and in strict accordance with the principles of the League."

The last report of the Municipal League of Philadelphia records the election of three magistrates; two members of the legislature, a number of excellent councilmen and school directors, a reduction of the Republican majority at the November election from 115,478 for President to 47,130 for City Treasurer; an increase in two years of the out and out League vote from 3,575 to 16,775, and a number of important and decisive legal victories over the "machine." The New York City Club's legislative work has been continued with effectiveness and intelligence. The Citizens' Union of New York has already taken steps to rally the anti-Tammany forces under a single banner for a united assault at the November election.

The Scranton Municipal League finished the first year of its work in February last. In that time corruptionists have been driven out of office in disgrace. Councilmen detected in soliciting and accepting bribes have been indicted and are now awaiting trial. Thanks to the original efforts of the Good Government Club of Louisville, Ky., and later those of the Honest Election League, the independent vote now really controls the situation. Partisans are disregarding party ties and are striving to bring about a better condition of affairs. The Detroit Good Government League claims the defeat of a notoriously corrupt candidate for the legislature and the election of three-fourths of the other candidates endorsed. From Portland, Ore., comes the word that as a result of the great amount of educational work carried on by bodies like the Municipal and Taxpayers' Leagues municipal reform has secured a strong hold upon the thought and sentiment of the people, so that even the partisans advocate it to keep themselves in power.

The fight to consolidate the town governments existing within the city limits of Chicago has made great progress through the efforts of the Citizens' Association. Chicago at present is composed of a number of out-grown, unwieldy town governments, so

far as the collection and disbursements of taxes is concerned. This is the result of the rapid growth Chicago has made, each new town that has been annexed having been permitted to retain, to a large degree, its own township government. The Citizens' Association has conducted a persistent fight in the courts against this condition of affairs, and has generally exposed its inefficiency and the opportunity it affords for corruption. Consequently the politicians are beginning to realize the futility of further opposition, and bills looking toward a proper form of consolidation have been introduced and are now in a fair way to be made into laws.

Of necessity but a portion of the numerous municipal happenings of the year have been mentioned. Those which have been illustrate the character and extent of the progress accomplished and furnish us with substantial grounds for encouragement. The work before us is of great extent and fraught with many difficulties, but the experience of the past decade has been such as to justify reasonable hopes as to the future. We cannot expect the acceptance of higher standards and the inauguration of reforms to come without a struggle, often of the most desperate and most uncertain character; often of long duration. A well-known author, himself an ardent friend of the cause of municipal betterment, has expressed the situation with great force:

"The advocate of a great principle should know no thought of compromise. They should proclaim it in its fullness and point to its complete attainment as their goal. But the zeal of the propagandist needs to be supplemented by the skill of the politician. While the one need not fear to arouse opposition, the other should seek to minimize resistance. The political art, like the military art, consists in massing the greatest force against the point of least resistance; and, to bring a principle most quickly and effectively into practical politics, the measure which presents it should be so moderate as (while involving the principle) to secure the largest support and excite the least resistance. For whether the first step be long or short is of little consequence. When a start is once made in a right direction, progress is mere matter of keeping on. It is in this way that great questions always enter the phase of political action. Important political battles begin with affairs at outposts, in themselves of little moment, and are generally decided upon issues joined, not on the main question, but on some minor or collateral question. . . ."

ANTI-TAMMANY UNION.

R. FULTON CUTTING,

President Citizens' Union, New York City.

The Citizens' Union is now entering upon its second campaign for the redemption of New York from boss government. When the union was organized in 1897, it was not intended as an anti-Tammany body except incidentally, nor was it proposed to limit its activities to temporary efforts to rally honest citizens for a campaign struggle. Its purpose was clearly set forth in the announcement that it was created to carry into effect the principle "now for the first time embodied in the constitution of the state, that municipal elections should be held separately from state and national elections, to the end that the business affairs of municipal corporations may be managed upon their own merits uncontrolled by national or state politics." The method proposed for the accomplishment of this purpose by the founders of the union was the formation of a permanent citizens' organization which should offer to voters an opportunity to secure efficient and honorable nominees for municipal office who would not use their offices for partisan purposes, and a policy of municipal administration and development.

The representative nature of the proposed organization is indicated by the following extract from the reports of the committee on plan adopted at the inception of the movement: "the organization required for this work must have a broader basis than any self-constituted committee or any committee constituted by a comparatively small body drawn chiefly from the wealthy portion of the community, such as the Chamber of Commerce or the City Club. It must fairly represent the various interests and conditions which exist among the voters of the city. It should, at the time of its first public appearance, rest upon a broad basis of popular authority and act upon the mandate of so great a body of

voters that its momentum cannot be checked by falsehood or ridicule, and its possibilities of success cannot be ignored. This consideration precludes the adoption of any of the methods of organization which have been attempted in recent years, under either the Municipal League or the Committee of Seventy, or the Committee of Fifty."

The first step taken by the union was the publication of its declaration of principles. This platform was the result of widespread consultation with men of a great variety of callings and opinions—bankers, merchants, professional and labor men—and was intended to be, as far as possible, the expression of a representative policy. The provisions of the declaration were specific and positive, and they evoked generally favorable criticism. In 1901 the union has adhered to the principles laid down in 1897, and has filled in the outline traced four years ago. It has been organized upon a thoroughly representative basis, through assembly district committees, and its convention directly represented its enrolled membership. The platform adopted was an amplification of that of 1897, with additional planks embodying the progress of opinion in four years.

The convention of the union was a notable event, 402 delegates representing district committees in every assembly district of the entire Greater New York gathered in the large hall of the Cooper Union. They represented a great variety of opinion and difference of vocation. The banker and the wage-earner, the merchant and the clerk, the educator and the student, the professional man and the statesman sat together and among them all there was not one who had been asked to yield an iota of his independence.

At the first session there was a slight misunderstanding and a little unnecessary warmth of utterance but the good sense of the assembly was abundantly demonstrated in its action.

At the second session, although considerable differences of opinion were expressed with reference to the platform then adopted, every subject was discussed in admirable temper and the business disposed of most satisfactorily and expeditiously. Certainly no such convention has gathered in New York City for a generation.

The convention appointed a committee of one hundred citizens,

a number of whom were not actually members of the union, to prepare a list of candidates for the municipal offices to be filled at the autumn election, and report their selection to an adjourned meeting of the convention for its approval.

The resolution under which this committee was appointed expressed the readiness of the union to co-operate with other organizations whose purposes were identical and there seems every reason to believe that general co-operation can be secured in favor of candidates who will efficiently administer public affairs and will not use their offices nor permit them to be used for any partisan purpose.

The people at large have become wonderfully enlightened with reference to the real nature of government by Tammany Hall and that organization will find it far more difficult in the coming campaign than on any previous occasion to deceive the people with fair promises on the one hand, and the denunciation of the reformers on the other. Nevertheless, it retains one tremendous source of power beyond the reach of the Citizens' Union, and that is a gigantic campaign fund, with the aid of which it maintains a compact and effective organization that can hardly be paralleled by voluntary effort.

THE BOSTON SCHOOL BOARD SITUATION.

JOHN F. MOORS,

Of the Public School Association, Boston.

The Boston School Committee consists of twenty-four members, elected, eight each year. It supervises the education of over eighty thousand children, and controls the annual expenditure of \$3,000,000 of public money.¹ Both men and women, who are legal residents of the city, are entitled to vote for and to serve on this committee.

The Public School Association was organized a little over three years ago to elect fit candidates for this important position. The outlook at the start was in many ways discouraging. The only persons in the city who were aggressively devoting themselves to the matter were two frail women and one young man. There were already three parties in the field—Republicans, Democrats and Independent Women Voters. The last-named organization is intensely sectarian. It had a large following ten years ago as a consequence of a heated text-book controversy, with the subsidence of which its power has been dwindling, and its recent tendency has been to become little more than the ally of the Republican party. With sixteen or more candidates on the ballot each year, individual merit had been lost sight of, and voting by habit on party lines had controlled the elections. On the one hand, the patronage of the office was so large that nominations were eagerly sought for personal advantage, and, on the other, not enough interest was taken by the citizens for them to know anything about the candidates with the self-sought nominations. The balance between the parties was such that the Republicans and

¹ Since writing the above the building and repair of school houses has been entrusted to a new, appointed, commission.

Independent Women Voters, working together, were just about a match for the Democrats alone.

At this time, moreover, there was hardly a person of large business or educational experience on the Boston School Committee, the prevailing characteristic being commonplaceness, with doubts as to the integrity of individual members. Two excellent candidates had indeed been elected because of the energy of the few individuals who afterwards organized the Public School Association, but the regular parties had not been interested in further suggestions from them, and the terms of office of these two excellent members were about to expire, with but slight prospect of a renomination.

This question, asked by the politicians, had, however, made an impression: "Whom do you represent?" In a sense, we represented everybody—the children in the schools, their parents, the whole community dependent on good public education. But our effective force was a mere handful of people, and as such was year after year being disregarded. It was necessary to organize the latent interest into an effective, living interest. This was no easy matter. With difficulty, half a dozen people were prevailed upon to constitute an executive committee, and often not more than one or two of these dragged themselves to the meetings. Persons of experience believed universally that the undertaking was impracticable. Picture yourself the only person who has come to a meeting, and looking out of the window upon the thousands upon thousands hurrying by in the street outside, all indifferent. Let your mind then call before itself the tens of thousands in each of the various quarters of the city. Will you be encouraged by the prospect of so interesting a majority of half a million inhabitants that you can control their votes as against their regular party affiliations?

Three things were on our side: First and most important, our cause was a good one, and had potential meaning for everyone. Second, we were prepared to persist. Third, the enemy was so confident that he gave us constant opportunity for effective campaigning. By enemy I mean no party but the spoilsmen and office-seekers, who on this issue controlled both the great parties.

In our first campaign, both Republicans and Democrats refused

to renominate the good members of the school committee who were candidates for re-election. The Independent Women Voters were more conscientious, and in the main were with us. The Democrats, as a result, won an almost complete victory, and very poor candidates they elected. This unfortunate circumstance, and our inability to elect our candidates, led to a common impression that we had begun our work by a signal failure. In reality, we had accomplished all that we had expected. While we had made little impression on the Democratic vote, we had cut the Republican vote nearly in halves, our vote being nearly as large as theirs. The train was on time, but the journey was a comparatively long one. Our voting strength that first year was 12,000 votes, less than one-half the number required to elect, the Democrats alone being more than a match for the other three parties.

It was plain that in the following year we could elect candidates only by working harmoniously with at least one of the other parties. We set our energies in the direction of friendliness, united with the Democrats on two candidates and with the Republicans on four, one candidate being nominated by both Republicans and Democrats, and these five candidates were elected, and, on the whole, have given excellent service. Our independent voting strength was this second year about nineteen thousand, but the total vote was larger (an election for mayor, which occurs every other year, bringing out the voters), so that our independent strength was but little more than one-half the amount required to elect, the Democrats losing a little proportionately, but being just about a match for the other three parties.

Last year, instead of being discouraged, we redoubled our energies. We strove again to unite with the other parties, but decided at the outset that their standards must be brought up to ours, that we should not again meet them half-way, and that we should set the standard by making our nominations ahead of the other parties. We organized with more or less thoroughness in every quarter of the city; we undertook an aggressive campaign of education on the importance of freeing the schools from the spoils-men; we raised and spent over eight thousand dollars in constructing a healthy public sentiment; we very largely increased the registration of women; we passed the word along that we had

had enough of going down with our colors flying ; that we were going to win, whether anyone united with us or not. We nominated eight excellent candidates. Of these, the Republicans took four, the Independent Women Voters five, the Democrats, the majority party, none. For our four candidates, not nominated by the Republicans, and more particularly for our three altogether independent candidates, we had to contend with a prevailing impression that votes for them were to be thrown away, for it was assumed that they could not be elected. The result of our bold and determined campaign was as follows :

Our four candidates who were also nominated by the Republicans received from 36,135 to 38,864 votes, being on the average some 9,000 more than enough to elect. The Democrats, who had been previously at least a match for the other three parties combined, received from 26,168 to 31,736; our candidate, who was nominated by the Independent Women Voters, but by neither of the great parties, received 30,310 votes, and was elected ; the votes for our three independent candidates ranged from 20,817 to 25,716 votes, and the Republicans for their single independent candidate received 10,330 votes.

In other words, five excellent candidates out of a possible total of eight were elected ; the Democrats were decisively shown to be no match for the other three parties combined ; the Republican strength dropped to less than one-half ours, and, most notable of all, a candidate was elected with neither Republican nor Democratic nomination. In this one instance the impossible had been accomplished.

We are already preparing for the election of next year, with the prestige of last year's practical as well as moral victory on our side, and with public opinion vigorously aroused. We have not indulged in glittering generalities with regard to civic virtues, but have sought one specific object—the welfare of the public schools. And we have shown that on a well-defined issue like this it is possible, with persistency, year after year, to make effective the latent interest of the people in the public good.

REFORM IN SCRANTON, PENNSYLVANIA.

REV. ISAAC J. LANSING, D. D., SCRANTON.

Scranton is the fourth city of the state of Pennsylvania in population. It is the thirty-eighth in size in the United States, having, according to the last census, 102,000 people in 1900. It lies in the northeastern portion of the state, and is a centre which holds within a radius of twenty miles at least 500,000 inhabitants. The chief industry is the mining of anthracite coal. To this must be added numerous manufactures of varied kinds and an extensive local commerce. Its growth has been very rapid and the large majority of its people have come in within thirty years, which is about the period of its rating as a city. Necessarily it has many things in the way of municipal improvements which are new. Its miles of paved streets, its public buildings, lighting system, schoolhouses, fire department and waterworks have been rapidly developed. More than twenty nationalities are comprised in its population. Of these a minority are native born, some from New England, some from Pennsylvania stock. There are none in any place superior to its best people. The very large majority of its residents are persons who have moved to this country from Europe to engage in mining. Of these a good proportion are Welsh; the Irish are strongly represented; so also are the Italians; a large, perhaps the largest, portion are from Central Europe. Among all these are very many excellent citizens. Naturally there are many, both native and foreign, to be reckoned as the lower grades of population, who, being ignorant and coarse, constitute a lawless element. Liquor saloons abound. Until this year, those licensed have paid \$500 for such license. This year by the law of the state governing second class cities, the price of the liquor license has been raised to \$1,100. Eighteen months ago there were

in the city about two hundred licensed saloons and some four hundred unlicensed. In the county, it is believed that the unlicensed saloons numbered not less than 1,900, and in the two adjacent counties, Lackawanna, in which Scranton is situated, and Luzerne, not less than 3,000. These were carrying on business in the most open manner. In very many of these saloons were gambling devices, slot machines and the like, while there were other houses in considerable numbers, used exclusively for gambling. As most of these were open without concealment, they could only have flourished by the connivance of the police and other city officials. Many of them paid regularly into the hands of some of these officials the money which bought their protection. Each and all of the numerous confessions which we have received implicated officials. The police received blackmail from some houses of prostitution, of which there were many, and left all practically undisturbed. We believe that there were not less than a thousand women of ill-fame then in the city. Their houses were fed from low theatres as one source of supply. Our agents on one evening counted thirty-nine men under thirty-five years old, who went from the lowest theatre into nearby houses of ill-fame within the space of seven minutes. Since the police are creatures of the city government, it may be inferred what was the quality of our officials. The government of the city last year was vested in a mayor and two councils, a select and a common council, each having twenty-one members, one member from each of the twenty-one wards of the city. These councils have had the disposal of all the franchises of the city, paving, traction, lighting, licenses, etc. Both councils were regularly organized for plunder. In each of them were men of noble and spotless character, who were morally certain of the corruption prevailing, but who had no power to prevent it. These councils, in their dominant elements, were literally syndicates of crime. They were bought and delivered at a fixed price per vote. And over all this was a system of political bossism, part and parcel of the system which has made the state of Pennsylvania infamous in its politics, which notoriously, freely and without shame, used money to buy delegates and voters for any and all the purposes that corrupt political machinery is usually run.

The city of Scranton has schoolhouses of the most modern sort. In themselves they are a credit to the city. But they are believed to represent in their construction, and in their supplies, a system of rottenness and plunder not unlike the above in other directions. The same kind of information exists about the Board of Education now that was in evidence a year ago concernig the city government. In the case of the city government, we have now the proofs. The evidence concerning the Board of Education we expect to get later. This list of civic conditions cannot be complete until we have noted that the jury system in our courts was wholly debauched in the interests of all the above described rascality. Our juries were selected by three persons—the president-judge of the county and two commissioners elected by the people. Of these two commissioners, one, whom we investigated fully, was a man of the most corrupt character. This might have been inferred from the character of many of the juries. Good citizens, too, largely shirked jury duty and the juries were packed with rounders and men of evil reputation. "Jury fixing" was common, and, as we have proved, juries were debauched and tampered with, sometimes by men closely allied to prominent legal firms. Thus the administration of the laws and even their enactment were corrupted at the very fountain heads. Corruption was rife and increasing. The public was aware of it, but had given up in a kind of hopelessness. They were indignant and complaining, but they were without hope. Most of the municipal machinery, from top to bottom, was running in the interest of baseness and lawlessness. The newspapers were mild, and in about the same attitude as the public at large. This is the merest sketch of the actual state of affairs in January, 1890. Not unlikely its general features can be too nearly duplicated in many an American city.

The grand agent of the reform which has given us far better conditions is the Municipal League. It scarcely shares this honor with any other agency. In a suburban section of the city had been formed, in 1898, a society of men known, from the section in which they resided, as the Men's Union of Green Ridge. This society for general improvement had a strong civic bias, and from time to time, through its representatives and invited speakers,

had reported on existing conditions in the city. At about the same time a Woman's Club had been formed in the same section of the city, which through its economic section had taken a lively interest in certain city affairs directly affecting their homes, including matters relating to the Board of Health, the water supply, the schools, and the like. At a regular meeting of the Men's Union, in which ladies were present, on January 18, 1900, in view of some new conditions existing in the city, the union resolved to appoint a joint committee of men and women to wait on the district attorney and request his assistance to act against some of the more obvious abuses. Five days earlier, the first meeting of a few citizens, of whom the chief movers were from this Men's Union, met to consider what they could do. This meeting of January 13, 1900, was practically the origin of the Municipal League. And they who met then constituted the nucleus of that working force, which in the next twelve months was to wholly change the aspects of our city. By the Municipal League, and especially by its executive committee, has all the work been done, and to them all the honor is due. This League was composed of a few men, all of the very highest standing and character. Some of them had been engaged in like work before. They were men of unsullied reputation, some of them of strong financial ability, and in this matter having one sole desire,—to work together for civic righteousness. They agreed that this work would be long, arduous, thankless, and that in all probability it would run against all the forces of corruption not only in the city but in the state. The local machine was but a part of the state machine, and the methods and principles as well as the life of the two were affiliated. It was resolved to make no show, to hold no public meetings, to say nothing outside, to keep secret all our plans and work until such day as the work itself should necessarily come to be known. One brave spirit, by the mutual desire of all, was conceded to be the leader from the first, and to him all would gladly give the meed of highest praise. Trained a lawyer but not now in practice, a business man of the highest integrity, a philanthropist whose beneficence was unrestricted, unaffected, modest, forceful, tactful, of the highest reputation and of equal resolution, this excellent man has done more than all the rest of us together.

But for him the League would not have been formed; without him it would not have succeeded. This I mention that emphasis may be laid on the character and quality of leadership which makes success sure. In all the arduous and protracted work of this League, from the first, each and every measure has been entered upon with absolute unanimity on the part of the executive committee.

One present at almost every meeting of that committee declares that he has never heard a selfish word spoken, or a proposition looking to any advantage for any member of the League. Nor has he ever heard a vindictive word uttered against those whom we were seeking to bring to justice. The first work of the committee, after organizing, was to select a suitable man to act as agent, who should secure the testimony on which our league action should be based. How important this selection was, everyone can imagine. And when I say that the man chosen was absolutely and in all respects equal to and even superior to his work, able, noble, trusty, fearless, wise, discreet, and that he has gained and held increasing confidence from everyone who has known him, it can be seen how rare were the elements which entered into his character, and how invaluable such a helper is in such an undertaking. Doing the work from the highest principle, and indefatigable in the doing, we owe to him, next to our generous and aggressive leader, more than to any other. He must needs organize a force of helpers, and this he has done, securing for the arduous and dangerous work men who have never betrayed a secret and who, inspired by his own incorruptible character, have been wholly unapproachable by any of the adversaries. They deserve reward far beyond the wages of their work. It also became necessary to secure detectives of experience for the most intricate parts of the investigation of the bribers, some of whom served us well. Others of them were equally unsatisfactory. It is beside my purpose to recount the methods of any of these, interesting as such methods must be.

These can be briefly stated. We purposed to gain legal proof that the laws were being broken and then call on the proper officers to enforce the same. We began with seeking evidence as to the sale of liquors on Sundays by both the licensed and the

unlicensed saloons, and naturally sought at the same time evidence of the unlicensed sale of liquors. Very soon these were found to be complicated with other offenses and abuses. Gambling was openly carried on in most of these saloons, and both the violation of the laws as to liquor selling and gambling were so open and apparent that it was evident that the police had full knowledge of the facts. This implicated them as conniving with the law breakers. And then we began to be aware that the police and the powers which made and controlled them were protecting crime. The constabulary of the country were found to be of the same sort. It then being manifest that these officers of the law were blackmailing the lawless element, we must needs seek evidence of this. As soon as we went to the grand jury with our first cases, which had been prepared with great care, we obtained evidence that the jury was controlled by something else than the law and the evidence, and the farther we proceeded, the more manifest this became. While this work was being done through our local agents, we put in the field expert detectives to ferret out the bribery of the members of the city government.

It need not be said that the discovery of bribery and the obtaining of adequate legal proof of the same is one of the most difficult parts of reform work. Both the bribe-giver and the bribe-taker are criminals, and they are likely to act secretly with no witnesses of their deeds. However, so reckless and so common was this crime among our officials that soon we had collected enough proof to warrant arresting about a third of all our councilmen. And while, with great pains, patience and expense, this special testimony was being secured, other important lines of evidence concerning other official misconduct and protected crime were being followed, and are being pursued until this day.

What has been accomplished and what are the present conditions throughout our city as contrasted with the past? A revolution so great and so beneficent can scarcely be summarized in few words.

The licensed saloons, many of which at the beginning were so confident in their protection that they defied us openly, are, so far as we can judge by a careful watch and steady inspection, practically keeping the law as to selling at unlawful times. Their

number is about the same as last year. They still break the law against selling to minor children and vending impure liquors. Up to this time they have not been prosecuted for these offences. Of unlicensed saloons there are none doing business openly, and those selling secretly are detected and quickly arrested. I should say that our faithful agent and his trusted lieutenants, under the pay of the League, are still giving close attention to the whole field, and they know what is going on. As a consequence, by the testimony of all the regular police force and all observers, there is a marked diminution of drunkenness and its attendant outrages for the last six months. A large number of the venders of liquor have been convicted of their crimes and have been and are being punished according to law. So also of the brothels, always closely allied with unlawful liquor selling. The number of public prostitutes has been diminished by fully one-third to two-thirds.

As to the number of these convictions, I may say that all the cases which we have presented in the courts, *except three*, have been decided in our favor. When, at the beginning, the grand jury undertook to protect criminal saloon keepers by ignoring our evidence, we immediately took the cases to the judges, under the state law, showing that the accused had violated the law, and the judges, being without discretion, were compelled to deprive these of their licenses on adequate proof of the offence. The judges accepted as sufficient the proof which the grand jury had ignored. So those offenders who gloated over having captured the grand jury soon discovered that they had lost much more than they had gained. All open gambling had been stopped. The slot machines have been seized and destroyed and their renters punished. We are sure to find the owners, also, of these machines, the men who protected them and the officials who took their money. When we raided the first two gambling places we could find but two officers besides our own, whom we dared trust to make the raid. But we have captured and destroyed several thousand dollars' worth of gambling implements, and the gamblers are held for trial.

Perhaps the most striking success of our work has been in the department of bringing bribers to justice. When we had accumulated adequate proof, thirteen councilmen were placed under

arrest at one time. This, from time to time, has been followed by other arrests until in all twenty of them have been arrested, practically one-half of the councilmen. One of the chief of these, a local boss, was placed on trial. He had been the representative of fourteen, for whom he did the business of sale and barter. Despite perjury unlimited we made out a strong case against him. The jury disagreed, but upon investigating the jury it was proved that they had liquor in their room, and we believe also that money was sent in to them. For having the liquor, the most guilty jurors were brought before the judges, reprimanded and fined. This same councilman afterwards confessed his guilt. At about this time, when the baseness of some of our jurors was fresh in the public mind, came an election for jury commissioner. Our noblest and foremost citizen, who, as the chief executive of the Municipal League, had been spending his time and his money for months for the common good, offered himself for election to the office of commissioner, an office so small as to be beneath the desires of most of the politicians, but so important that all the possibilities of justice in courts rested upon it. He was elected by an overwhelming majority, voters of all parties uniting to elect him. This act of his was one of the noblest examples of civic unselfishness ever seen in any community. All this tended to increase public interest in the work of the League. We proceeded to prepare for a second trial of the "boodler" who had been previously arraigned. But now a proposition was made by their counsel to ours, which issued in the following arrangement: fourteen men guilty of taking bribes and then under arrest, agreed to practically make written confession of their guilt, to restore several hundred dollars apiece of their plunder, the same to be given to charity, and to sign an agreement that they would hold no public office in the city for the next five years, on condition that a *nolle pros.* should be entered in their cases. Some of them farther solemnly promised to give testimony in proof of bribery in several pending cases. We justified this method of disposing of these cases on the ground that with corrupt juries still holding over, conviction would be difficult, no matter how plentiful the proofs; that as these men were a part of the political machine to whom the bosses were under obligations, they might, through political influence, be given light sen-

tences and soon pardoned; that in this case they would pose as martyrs and soon be again in their old business. Some of these men who have made private confessions have since made public confession and have given evidence for the commonwealth. Other cases are still pending and should go through the courts and the convicted criminals should be in the penitentiary. Naturally we have now drawn very near to the bribe-givers, and as they are supposed to represent a more reputable class of citizens, many of them of standing and respectability, they are fighting hard to keep themselves from punishment. Several indictments are still pending and there will be more.

The present state of the city is one of promise. In one of the unexpected changes in the political situation, one of our most reliable and respected citizens, of unblemished reputation and exalted character, has been put into the office of director of public safety, where he has control of the police and fire departments. His control guarantees a total change of these departments in the interest of public order and honesty, so that the police will be compelled to do their duty, and the fire department will cease to be the seat of corruption, which it has been in the past. This official's good influence is immediately apparent. There is an improved tone in the departments under his supervision, and confidence in him is coupled with expectancy and gratification. The chief executive, by his appointment, has raised hopes in the minds of good citizens that he will co-operate to raise the standard of character and efficiency in the several municipal departments, that he will take the side of honest men against rogues, of law and order against lawlessness and crime. At present a better state of things is prevailing than for ten years.

Such is, in briefest outline, a sketch of what has been done in fifteen months in the city of Scranton, by a few determined and public spirited men, talking little and working hard. They have made these new conditions by generous gifts of time, thought and money.

Our city to-day is by far the cleanest in all the region. If formerly it was not worse than others, it is now much better, and steadily improving. In saying this we have the warrant of abundant and wholly reliable testimony, and improved conditions manifest to all.

A few words may be said of our future work. As it has not been our policy to tell what we were going to do, but rather to do it and thus to let it become publically known, I can say briefly: that we feel the importance of holding fast what we have gained and keeping vigilant watch over all that we have begun. It cannot be expected that a few citizens shall maintain a perpetual organization to watch over the interests which we elect and pay officials to attend to. But we hope at least to secure the purification of our juries, and to make jury service by responsible citizens the rule; to convict all bribe-takers and all bribe-givers; to purify the various departments of the municipality; to organize the city in the interests of non-partisan good government; to secure, through the growth of public sentiment and public virtue, general co-operation with our purposes and aims; and to make it perfectly clear that it is wisdom and economy to administer the affairs of the city in an honest, straightforward and moral way.

THE NEW ORLEANS MUNICIPAL SITUATION.

HON. WM. WIRT HOWE, NEW ORLEANS.

It may be interesting to note some events in the history of municipal government in the city of New Orleans during the last year.

The cause of civil service reform has suffered an important disaster. Under the city charter of 1896, a merit system of the most approved and modern type was supplied to almost all positions and employments in the city government, except, of course, those filled by popular election. The execution of the law was somewhat delayed and impeded by want of proper appropriations, but in spite of these hindrances the plan was administered with diligence and impartiality for more than three years, and with excellent results. No just complaint was ever made of its methods, and the Constitutional Convention of 1898, resisting the pressure of local politicians, declined to interfere with the system. The ward bosses, however, continued to plan for its repeal. One of them told the late Mayor Flower that the system "must go," and being asked for a reason, replied, "The boys are starving." It did not seem to occur to him that "the boys" might come up and compete in the examinations. In the autumn election of 1899 the reform movement of 1896 had, as usual, expended much of its force. The average citizen had become weary of well doing, and was absorbed in his private affairs, while the "boys," who had no private affairs of any importance, were full of activity. Even then, however, they did not dare to put up their real leaders as candidates, and were forced to nominate some respectable men to hold the fort until such time as they may be able hereafter to take complete control.

The legislature of 1900 contained a large number of members

from New Orleans pledged to destroy the merit system; and in accordance with a vicious custom under which the members from the country abdicate their duties and leave the control of the city to the city delegation, the act of July 10, 1900, was passed. It repealed the merit system of the charter, and substituted a "Civil Service for the City of New Orleans," ingeniously devised to offer an appearance of competitive examination, and at the same time to put the control of all municipal positions and employments in the hands of the political officials who are in turn confessedly controlled by the ward leaders. A majority of the new board of Civil Service Commissioners are members *ex officio*, and were elected by the men whose principal article of faith was that the merit system must go. A large number of positions and employments are exempted entirely from competition. Examiners are provided for those places included in the plan, but the applicant must be a registered voter, and must have actually voted at the general election next preceding the examination. The best man for the place, therefore, cannot compete, if, by reason of illness, necessary absence or other proper cause, he has failed to vote at the specified time.

When the examination has been held, all who have attained 70 per centum are placed on the list of eligibles for the position in question, and the appointing power may choose any name from the whole list without regard to standing; the legislator thus seeming to inform us that our system of free public school education of which we boast so much, and for which we pay so heavily, is really of no account as a preparation for public duty. The act further provides that with certain exceptions, an appointee shall hold his office only during the term of the appointing power.

It needs but little experience or historical knowledge to perceive that the whole scheme, so far as it undertakes to provide a civil service for the city of New Orleans, is simply illusory, and that its true intent is to abolish the merit system, and to endow the ward leaders with the ultimate power to control the positions and employments in our city.

The old board made a vigorous effort to establish the unconstitutionality of this act of 1900; but the courts declined to hold it invalid. We have, therefore, at present no merit system in New

Orleans, and the boys who were starving are again taking their places at the public crib.

The matter of water, sewerage and drainage in New Orleans presents more encouraging features. The city is built on an alluvial plain that falls away with a slight descent towards Lake Pontchartrain. The more this plain is covered with buildings and pavements, the more the storm-water accumulates and rises in the streets. The completion of the surface drainage alone presents an expensive problem not yet entirely solved. As for sewerage, it is impracticable and undesirable to adopt large sewers, like those in New York, but it is intended to try a small pipe separate system carrying only sewage matter and household waste, and not receiving storm-water; the plan resembling that devised by the late Colonel Waring and applied in Memphis.

As for water, there are perhaps two sources of supply,—one, the Mississippi River, and the other the clear pine-woods streams that fall into the north side of Lake Pontchartrain. It is doubtful if the latter can be successfully used—and experiments are now being made in the filtration of Mississippi water. This is another difficult problem, the sedimentary matter in this water being not only abundant, but so far as it is what is called “blue clay” being very intractable. Indeed, it is impossible to filter Mississippi water so effectually as to make it fit to use in such arts as sugar refining, without the employment of some coagulant in at least small quantities.

Under the provisions of the constitution of 1898, the property taxpayers of New Orleans, including women so qualified, voted in June, 1899, a tax of two mills on the dollar for forty-three years to be applied to sewerage, water supply, and the completion of the plan of surface drainage. This action and the details proposed were further formulated and approved in a legislative act of August, 1899, and ratified by a constitutional amendment. An issue of \$12,000,000 of 4 per cent bonds was sold at about 105, and preliminary work has begun.

It is hoped that the surface drainage will be completed in a short time.

As for the water supply, it is expected that the city will acquire and extend the plant of the present water company and endeavor to put it in such shape as to deliver fairly pure water.

As for sewerage, it is expected that the Waring system above referred to will be introduced in some form. The small pipe sewers, through the streets at right angles to the river, each armed with some flushing apparatus, will run back to large intercepting sewers or basins in the rear of the city, and the sewage will be pumped thence into the river below the city. This is probably the most difficult part of the whole plan, and will require great skill and entire honesty in the work of introducing the sewerage system and equal care in its use. Properly built, administered, and used, it will be of great benefit, but careless construction or careless use will easily convert it into a deadly nuisance.

The trend of political thought in New Orleans to-day is toward a "municipal ownership of public utilities" and such ownership has been largely advocated, in some instances with more zeal than wisdom. Much may be said in favor of such ownership. It seems plain that so far as water, sewerage and drainage are concerned, the movement above mentioned is a useful one, and good results are hoped for. But the repeal of the merit system occurring about the same time is ominous, and the ward leaders are already calculating the amount of spoils that may fall to them in the way of positions and employments. The act of 1899 contemplated that the employments in these three public works should be under the civil service as existing in that year. The act of 1900, as we have seen, has practically abolished the merit system. In this respect, the prospect is not pleasing.

MUNICIPAL AFFAIRS IN SAN FRANCISCO.

By J. RICHARD FREUD,

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The end of next month closes the first fiscal year under the new Charter of San Francisco. A fair survey of the first year's work may now be taken. A balance in the municipal ledger account may be struck. A brief review of the initial working of the new organic law will give some estimate of its future operation.

During the past year the municipal government of San Francisco has undergone a complete revolution. From the obsolete Consolidation Act, created in 1856, to the Freeholders' Charter of 1900 marks a radical transformation. The former legislative statute dominated the municipality for nearly half a century. It had become intimately interwoven and solidly imbedded in the civic fabric.

A Freeholders' Charter in California is the essence of municipal sovereignty. Home rule for cities was firmly recognized and promulgated in the state constitution adopted in 1879. Subsequent constitutional amendments have so extended this principle as to enable communities to govern and regulate their own affairs. After four ineffectual attempts, San Francisco at last secured an organic law that granted municipal independence.

The road of progress in San Francisco, as everywhere else, confirms the truism that the old never yields to the new without a struggle. Long-established policies of government and forms of administration will not readily succumb. Conditions that have saturated the municipal fibre for many years can hardly be expected to yield instantly or voluntarily. Obstinate and defiant, the powers that swayed the government of San Francisco for

decades sought to thwart the introduction of the new organic law.

The first line of attack was to break down the entire Charter through the instrumentality of the courts. At the very outset, a suit was brought to test the constitutionality of the Charter as a whole. After elaborate arguments, the Superior Court of this city and the Supreme Court of the state decided that the Charter of San Francisco was prepared, ratified and approved in accordance with the constitution of California. As a whole its constitutionality and validity were thus firmly established.

Failing in their determination to destroy the entire Charter, its opponents then decided to break it to pieces. From various sides, unsupported charges were hurled against the operation of the new law. By indiscriminate abuse, it was sought to discredit the instrument. Unavoidable errors were magnified into appalling blunders. The difficulties inseparable from the inauguration of any new organic act were exaggerated into insurmountable obstacles.

Confronted with such fierce antagonism, the first administration under the new Charter has had an arduous and trying task. Under the most favorable circumstances, it would require a high degree of political sagacity to put into effect an organic law without considerable friction. Thirty-two commissioners had to be appointed at once to conduct the affairs of the eight commissions provided in the Charter. Novel conditions arose and intricate problems had to be solved.

A complete reorganization of the Police and Fire Departments was imperative. The elective Board of Education, composed of twelve members, was changed to an appointive board of four school directors. A Department of Public Works with three appointed commissioners was created. Nearly every branch of the city government was placed under the merit system. The foregoing will serve to illustrate some of the radical changes wrought by the new Charter.

One of the noticeable features of the Charter that has worked admirably is the new method of selecting the City Council. The Board of twelve Supervisors, selected from districts and possessing mixed legislative and executive powers, was supplanted

by a Board of eighteen Supervisors, elected by the city at large, and strictly confined to legislative functions. This change has not only improved the personnel of the Board, but has also brought about a vast improvement in its proceedings. There has not been the slightest suspicion of wrong-doing. The rights of the municipality have been safeguarded in dealing with the quasi-public corporations that control the public utilities of San Francisco.

The article on Finance and Taxation in the Charter deserves special mention for its excellent results. The dollar limit of taxation for municipal purposes has been strictly observed. Each fund has been held inviolate for its specific objects. No diversion of funds has been permitted. Each department has kept within its allotted appropriation, while many departments show an actual surplus. The total surplus this fiscal year will reach \$480,000, of which at least \$100,000 has been saved by the departments of the city government out of their respective appropriations. This fact speaks volumes in favor of the financial provisions of the Charter, as well as for the integrity of the various heads of the departments. Under the previous Consolidation Act, unwelcome deficits faced the municipality at the expiration of each fiscal year. Now, the dollar rate of taxation is upheld, and yet a handsome surplus greets the taxpayers of the city.

A just criticism of the administration of the present Board of Public Works and Board of Health is their appointment in some cases of superfluous deputies and clerks. As a general rule, the Charter specifies the classes of employment and limits the number of subordinates in each department of the city government. Not being possible to anticipate the exact requirements of these two departments, the Charter permitted them to create such classes and appoint such subordinates as they might deem necessary within the limit of their respective appropriations. As a necessary precaution, however, it was provided that all permanent appointments shall be subject to Civil Service and that the temporary appointments, to be valid, must receive the approval of the Civil Service Commissioners. Believing some of the temporary appointments in these two departments unnecessary, the Civil Service Commission disapproved of them; but, unfortunately, its

contention has not been sustained. The cause of this criticism will in time be removed by the certification of permanent Civil Service eligibles for each position.

The recent decision of the Supreme Court of California against the validity of the municipal bonds, favorably voted upon in December, 1899, by the electors of San Francisco, has been a keen disappointment. Preparations were ready to expend \$11,025,000 in constructing seventeen new school-houses, perfecting the sewer and drainage system, erecting a needed hospital and extending the park area of the city. These improvements will now have to wait until another special election is called and the requisite two-thirds vote secured. The decision of the Supreme Court will not prove an unmixed evil, for it emphatically points out that the Charter contains a perfect and complete method for the issuance of municipal bonds for public improvements. A movement to this end is already under way. As the city has at present no bonded debt, it is now free to incur a municipal indebtedness, not exceeding 15 per cent of \$400,000,000, the total assessed valuation of all property in the municipality.

The Charter of San Francisco declares "that its public utilities shall be gradually acquired and ultimately owned by the city and county." Estimates have been made of the cost of municipal water-works and electric-light plants with a view of their early submission to the vote of the people. As the franchise of one of the principal street railways of the city will expire in about a year, San Francisco may then make an experiment in its municipal operation. Public sentiment is divided upon the question of the comparative advantages of municipal control and operation of public utilities. The difficulties attending the complete establishment of the merit system accentuate the doubt upon this subject.

The most advanced feature of the Charter of San Francisco is the article on Civil Service. Not only does it provide that appointment shall be made upon merit and promotion for efficiency; but it forbids removal except for good cause after a public trial. The impartial enforcement of the Civil Service article caused widespread consternation in the ranks of the spoils hunters. Every conceivable device has been utilized to destroy the opera-

tion of the Civil Service provisions of the Charter. Injunctions, mandamuses and restraining orders were brought in rapid succession. Five distinct suits in various courts were instituted to defeat the operation of the law. In some the merit system was upheld, while in others it lost. The Supreme Court of California has recently handed down two decisions, one unanimously affirming the validity of the municipal merit system, while the other, signed by only four of the seven justices, restricted its jurisdiction to the strictly municipal departments of the city, government. An amendment to the constitution of the state will now be necessary, in order that the Civil Service jurisdiction may also include the so-called "county officers." In the meantime, the citizens of California will have a splendid opportunity to witness a comparison between the results of the merit and spoils systems. Under Civil Service are the Departments of Police, Fire, Health, Election and Public Works, comprising in all 1,600 positions, of which 300 are already filled by Civil Service eligibles. Under the spoils system will be the offices of County Clerk, Sheriff, Assessor, Recorder and Coroner. The two systems will thus be on trial. We believe this object lesson will convince the people of California that the best interests of the state require the early establishment of Civil Service, not only in municipalities but also in the state government itself. Thus it is that the merit system invariably profits by its own apparent temporary defeat.

The student of civic affairs must withal feel encouraged at the slow but sure progress of this Western metropolis toward the ideal in municipal government. A river cannot rise above its source; neither can a government go higher than the people. When the citizens of a community thoroughly realize that bad government means public calamity, good government will soon appear. It is gratifying to witness the healthy growth of civic pride, courage and patriotism in San Francisco. The Merchants' Association has set a worthy example for the emulation of commercial and improvement organizations. A strictly municipal election will be held next November. An excellent primary election law, passed by the last legislature of the state, will afford ample protection in the nomination of desirable candidates. With

a proper exercise of the electoral ballot, the citizens of San Francisco will have the opportunity of placing the destiny of their city government in the hands of public-spirited officials, who will be loyal to the best interests of their city and true to its organic law.

No human work is perfect. No law framed by human hands will work without friction. Constitutions are but the handiwork of man. Time and growth are essential to their smooth and successful operation. Notwithstanding the minor imperfections incident to its initiation, the first year's trial of the Charter of San Francisco vindicates the promises of its advocates and justifies the expectations of its friends.

THE MUNICIPAL SITUATION IN ST. LOUIS.

HON. CHARLES NAGEL, ST. LOUIS, MO.

Up to the year 1876 the City of St. Louis occupied the position of most cities in this country. The charter was subject to amendment and control by the state legislature; and the management of city affairs was closely allied, and in some respects identical with that of the county. About that time a constitutional amendment of the state authorized the inhabitants of the city to frame a special charter for local self-government. A charter was accordingly adopted, which since then has frequently been characterized as unique. It provides, among other things, for a complete severance of county and city affairs; separating the indebtedness of the past and the political control for the future. For all strictly local interests the city was supposed to have secured absolute local self-government. It provides for a Board of Public Improvements, whose six members, with the exception of the president, are appointed by the mayor; and from which board all public improvement legislation must emanate. The official term of office is fixed at four years; but all appointments by the mayor are deferred for two years after his election. Two houses of the Assembly are provided for.

These and other changes were at the time regarded by the citizens of St. Louis as a victory for good city government; and this charter was made the subject of quite general consideration and favorable comment in other places. The result was for some years satisfactory; but since then has disappointed expectations.

Looking at this charter now we must see that its prevailing note is negative. Its chief purpose was resistance—security from political abuse such as had been suffered in the past. Instead of making sure of the selection of better men, it curtailed the power of those who might be chosen.

The chief provisions of this charter are in direct opposition to the more modern policy of centralized responsibility; a policy which is recommended because it fixes at once the responsibility of the official for his work and the responsibility of the people for the selection of the official.

This charter, chiefly the division of authority and the denial of the appointive power for half the term of office, generally resulted in what may be called colorless administrations. Nothing was quite as good or bad as it might have been. However keen the political contests, the people were never afforded opportunity to feel the immediate consequences of their decisions. Even when these consequences were directly traceable, a space of two years is too long for the proverbially poor memory of an American citizen.

Besides, this charter had the effect of lulling people into a feeling of security. True, the taxes might be wasted; but we had looked to it that those taxes should not amount to much. I do not think that it can be fairly said that our city was made the victim of serious raids upon the treasury. Not at least in the sense in which this has been the case in some other cities. We lost great opportunities by the reckless granting of franchises, and there is no doubt that these grants were obtained upon terms that would have materially aided the city, if the revenue secured had been turned into the right channel. But the city's regular income was reduced chiefly by waste and irregularity, such as would paralyze a private enterprise; but not more than we have come to regard as a natural, if not a necessary, feature of American municipal government. We may have been bad, but we were never bold.

The ordinary waste was, however, enough to demonstrate that we could not keep up with legitimate demands. Probably the most economical management could not have done this. It is certainly true that by means of some indifferent, and some altogether bad administrations we were brought to realize that something must be done, for streets, sewers, water, and especially for eleemosynary institutions.

This demand was accentuated by some other conditions, all of which were united to press for prompt decision. The last city

administration was Republican, and was by common consent extremely unsatisfactory. Outside of the immediate recipients of favors, it has no defenders. It was worse than indifferent and managed to create a general feeling of resentment. The pride of the people was hurt, and a rebuke was bound to follow. The demand for a better standard of municipal government was universal, without regard to the party that might have the credit of securing this result.

There were still other conditions that made this change imperative. The great need for public improvements was emphasized by our city's preparation for a World's Fair, in commemoration of the Louisiana Purchase. We must have our house in order for the reception and entertainment of guests.

All these forces united to promise a good result. For a time an independent movement was considered. But this was abandoned, with the practical assurance that both national parties would insist upon nominations of high order. The prospect was altogether bright, but suffered some disappointment by reason of other complications that had gradually arisen.

For some time the independence of the city as a municipality had been drawn into question. The legislature had again and again assumed to invade the local self-government guaranteed by the charter. At first the Supreme Court, in passing upon these acts, undertook to discriminate between state control proper, and legislation to regulate affairs of a strictly local character. But finally even this distinction was abandoned, and to-day it is virtually admitted that the city is to all intents and purposes under the absolute control of state legislation.

These legislative inroads were by most people received with regret and apprehension. By some the opportunity for a short cut to results was recognized and accepted. A constitutional amendment was at the instance of prominent St. Louis citizens submitted, and was afterwards declared carried, which authorizes the city to issue \$5,000,000 bonds for the promotion of the World's Fair. A charter amendment to cover a similar measure would have required a three-fifths vote of all voters. This constitutional amendment required a mere majority of those voting in the state, and in recognition of local interest required a special

majority of those voting upon the amendment within the city. This step will no doubt point the way for other, probably less popular, innovations.

Perhaps the chief inducement to such invasion is the fact that St. Louis is the one Republican stronghold in our Democratic state. The temptation is great, in and out of the city, to force a change.

This tendency was radically expressed in two measures enacted by the legislature in 1899. One is the police law, under which the governor appoints all members of the Police Board, with the exception of the mayor. In some respects this law follows old rules; but it certainly emphasizes them all to the cost of the city. It fixes the minimum number of policemen and the salaries, and provides that the certificates of the Police Board as to the amount of money needed shall have the force of appropriations. The City Assembly is compelled by state law, under severe penalties, to make the appropriations as ordered by the Police Board. The law has been sustained by the Supreme Court; although the citizens are still wondering why a law, which makes state officials out of policemen, should require their salaries to be paid exclusively out of the city's resources. The law is justified upon purely technical grounds; although it clearly offends against the spirit of every principle of local self-government. It makes another step in the direction indicated above. The real purpose of this law was made more apparent by the enactment of another law for the particular control of elections in the city of St. Louis. This law, comparatively innocent upon a superficial reading, is probably as carefully designed a measure for the perpetration and protection of election frauds as was ever enacted. The governor appoints the election commissioners. These in turn elect the judges and clerks of election for all political parties. Most of the registration of voters is had at one central point. Between this law and the police law the opportunities are practically unlimited. How they were availed of is attested by Grand Jury reports, and by the developments in election contests. Even the most unsophisticated have been compelled to admit that these two laws are intended to reverse the will of the people of St. Louis. Coming into play at a time when all conditions seemed ripe for the intelligent assertion of popular impatience, they did much to disturb the issues, and to

invite unnecessary and unfortunate conflict. The demand for a clean city administration was clouded by a dispute, which now promises to form the issue of the next state campaign.

One more condition interfered with a distinct contest over the one issue that should have decided the city election. The state legislature had authorized a consolidation of all street railroads in St. Louis. This was followed by a general street-car strike; and this by perhaps the worst blow the reputation of our city has ever suffered. Feeling rose to a very high pitch; every appeal to prejudice known to the agitator or the politician was resorted to; and the echoes of that conflict will be heard for many a day. Besides the candidates of two national parties, another candidate was put up on the platform of municipal ownership. This principle of his platform was really endorsed by all the candidates; but his appeal to the voters came with particular force, because he had for a number of years espoused the cause of the poor man against the rich; and therefore became the political beneficiary of the intense feeling aroused during the strike against the property-holding class.

The result was that the spring election drew the old party lines very close, where theretofore the greatest independence had been shown; while the labor element broke away from old party affiliations, to register its protest against the existing order of things. In consequence the election was on the one hand a confusion of protests and rebukes; and on the other hand the most flagrantly corrupt in the history of our city.

The general result is this: The Democratic ticket declared elected is a good one—about as good as the one presented by the other national party. Which ticket was really elected no one knows and for that matter, few enough care. We may look with perfect confidence to material improvements long needed. Charter amendments looking to that end will pass, or will be declared carried under the aforesaid election laws. We are going to carry everything that seems good. We are in that business.

But the fraud upon the suffrage will be punished, if not by the exercise of the suffrage, by means more radical. The very large vote that was cast by workingmen at this election for a third candidate, who has for years appealed to the masses of the people against tax dodgers, franchise grabbers, etc., is sufficient notice

that it is not safe to rely upon the management of elections by either force or cash. The people are bound to be consulted. If they are not reasoned with, they will act without reason, but act they will. Much as has been said, and justly said, against the outrages perpetrated in our city during the last year's strikes, one fact has so far gone without comment; and this is that at the bottom of the fierce acts of violence was a well-settled and profound indignation against mismanagement and wrong-doing in the past. The force which manifested itself by disorder was not to be attributed entirely to sympathy with the strikers, but very largely to indignation at the manner in which street railroads and similar corporations had acquired franchises. It is just as safe to say that most of the citizens who took up arms to restore order in the city of St. Louis felt no more opposition in their hearts to car-window smashers than they did to franchise grabbers. To the minds of American citizens, a mob on the street is no more guilty than a briber in the Assembly. The attack upon government and law and order is the same. Conditions which appear in so aggravated a form in the city of St. Louis, and from which the city has in the main recovered, are, of course, the same throughout this country. It all resolves itself to this:

There is no short cut to good government, national, state or municipal. There is no wrongdoing without retribution. The citizens may for a time be hoodwinked, or their votes may be bought or counted out; but the force of those votes must ultimately assert itself. There are some things about which there is no compromise possible. The suffrage may be curtailed; about the wisdom of this there may be argument; but whatever the suffrage is, it must to all intents and purposes be honestly and freely exercised. If not, the keenest sufferer will be the property-holder who has endeavored to secure his peace, by means of his regular election contributions, and by closing his eyes to the purpose for which those contributions are used.

MUNICIPAL SITUATION IN MONTREAL.

HERBERT B. AMES,

Member of the Board of Aldermen, Montreal.

The municipal situation in Montreal while as yet by no means all that could be desired, when compared with what it was a few years since, shows marked improvement. Although well-merited criticism has still its place, the citizens as a whole are of opinion that the control of the present city government is in honest and fairly competent hands.

Owing, however, to financial limitations, and to the obstruction of a small but bitterly hostile opposition, the work of reconstruction proceeds but slowly, and it will require years of careful and economical management before affairs can be once again placed upon a satisfactory basis.

It is necessary, in summing up the present situation, to hastily glance over the municipal history of the past fifteen years. Within that period Montreal has passed through various vicissitudes of good and bad city government, the latter experience predominating.

The figures showing the growth of the funded debt are perhaps the best indices of the causes and conditions attendant upon the different eras.

Prior to 1887, during a period of ten years, the debt of the city remained stationary at about ten millions of dollars. This obligation had been incurred in the execution of certain necessary public works, such as a water and drainage system, in the purchase of land for public parks and the like. There were substantial assets to show for the expenditure. The municipal government of those days, honest and frugal, erred, if anything,

on the side of ultra-conservatism, and perhaps might be reasonably accused of not being sufficiently progressive.

With the year 1888, however, a new spirit came over the administration. New men came to the front, the former leaders were replaced and the doctrine of large loans and heavy expenditure for improving and embellishing the city became popular. But as is often the case, in avoiding ultra-conservatism, the Council fell into the worse mistake of extravagance.

Between 1888 and 1895 the civic debt was more than doubled. It advanced from \$11,270,101 to \$25,046,341. In the year 1893 alone no less than \$3,317,996 was added. The Council launched into countless projects for street widening and paving. Within seven years \$11,500,000 was expended upon these two items. A limit of 15 per cent on the assessed valuation had been established in 1889 as the maximum of safety for the funded debt, but by 1894 this was exceeded and further borrowing powers sought from the legislature. Where in 1888 the debt represented 12½ per cent on the assessed valuation, in 1895 this proportion had reached 18½ per cent, and it was not until 1898 that the onward rush was finally checked, and with a debt of \$27,000,000, Montreal sat down to count the cost of her extravagance.

So rapidly had the debt been rolled up that the annual increase in interest charges swallowed up the natural augmentation of civic revenue. Thus though the city increased rapidly in area and population, the amount available for the regular administrative services remained almost stationary. In 1888 it required about \$500,000 to pay the interest on the debt; this was about one-third of the civic receipts, but in 1896 it required \$1,000,000 to meet this charge, or over two-fifths of the entire amount raised from municipal sources of revenue.

The result has been that since 1896 there have been no great improvements. In fact, the city government has been forced to practice the strictest economy to make both ends meet. The various municipal services have suffered in consequence. The streets have not been properly cleansed, the police and fire departments have of necessity remained undermanned and but imperfectly equipped, and the municipal buildings are in many instances in need of repair. We are poor; we are not clean; we are paying

penance for our misdeeds, but, like the devil when sick, we have grown honest. We are now making plenty of good resolves that, when times of plenty return, we will spend more wisely; these good times are within measurable distance, provided the good resolutions hold out.

But the change for the better in the civic administration is by no means entirely due to that stern schoolmaster, poverty. There has been an active and fairly successful campaign waged for good government, of which it is perhaps not inopportune to speak.

In 1892, when the carnival of extravagance was at its height, when it was currently believed, and never contradicted, that scarcely one-third of the members of the City Council were trustworthy men, an organization sprung up among our young men known as the Volunteer Electoral League. Its members had had enough election experience to know that the place to fight the battle for good government was at the ballot-box, so the dominating idea was to create an election machine, just as active, as accurate and as effective as that which the ward politicians could bring into the field.

The objects of the League above mentioned as set forth in the Constitution were these:

1. To revise and perfect the voters' lists.
2. To encourage the nomination of honest and capable men.
3. To secure the election of the same by honorable means.
4. To prevent and to impartially punish any person violating the sanctity of the ballot-box.
5. To introduce legislation to improve the election laws.

This association was purely non-political, and expressly declared that it was not a nominating body, but a volunteer electoral machine. One of the methods most effectively employed in preventing fraudulent voting was the descriptive card, where every elector, on entering the poll, found himself confronted with a watcher, able to identify him from an accurate written description. By this method "personation" was stamped out in our civic elections.

Allied with the Volunteer Electoral League, and working on parallel lines, was a second organization, equally useful, the Good Government Club. This latter body was made up from among the

older and more solid men of the community. Upon their shoulders fell the task of selecting and bringing forward suitable candidates, and of furnishing the sinews of war. This organization also was purely non-partisan.

Candidates elected by purely volunteer service, at no expense to themselves, bound by no promises which they cannot conscientiously fulfill, knowing that the same force which elected them will be pitilessly turned against them on a future occasion if they do not do their duty, such candidates enter municipal politics under the best auspices and rarely disappoint their supporters. So it was in our case. The association of older men doing the selecting, the younger men the electing—aided by the English press of the city—inaugurated in Montreal an active campaign in February of 1893, which from the first gained victories. In 1894 the strength of the reform organization had sufficiently grown to enable the friends of good government to capture four wards. These have since never failed to return desirable men. With the election of 1896 the sphere of influence was further widened, so much so, in fact, that the western, or English-speaking section of the city, was purged of all who had misrepresented their constituents. Up to this point, however, our French-speaking districts had failed to respond to the reform sentiment. But now the war was carried into Africa. The French-Canadians needed only to be aroused to do their duty, and the occasion soon presented itself. With the election of 1898, there entered into the Council a strong body of men representative of all classes, pledged to good government, and quite competent to fight for the securing it. It was found on the first test vote that the old *régime* could still command a majority of four votes, enough to control nominations, but no longer enough to stolidly defy opposition. The minority from the very first put up a strong fight for better things, and, with public opinion behind them, soon forced the hand of their opponents.

Between 1898 and 1900 there was no lack of light let in upon the past and present history of every Council transaction.

A trustworthy committee of Council was named to carefully examine the financial affairs of the city. It was soon found that the previous administration had left upwards of \$150,000 of

unpaid accounts. Every one of these was fearlessly investigated. All the circumstances attendant upon each contract, order or commission were fully inquired into. The committee fixed the blame, and most of the officials implicated have since passed out of the corporation employ; furthermore, stringent measures were enacted rendering a recurrence of such irregularities impossible.

Again, on the same impulsion, the Council caused to be prepared and passed a new city charter. Many were the clauses therein, born of past abuses, which provided safeguards and limitations both necessary and desirable. A redistribution of wards gave justice to large areas previously inadequately represented. Election frauds were carefully guarded against. The existing debt was consolidated and its future increase safeguarded by provisions at once both restrictive and yet not altogether inelastic. A method of referendum was provided whereby important projects might be first submitted to the taxpayers and the principle of "Home Rule" preserved.

This charter, afterwards ratified, though not without considerable mutilation, by the provincial legislature, has now been tested for nearly three years. It is not without imperfections, but it is nevertheless a great improvement on its predecessor. Montreal suffers severely periodically at the hands of the Quebec Legislature, made up of country members more easily induced to support private than public interests. By the introduction of the home rule idea into the charter, we hope in future to have as little as possible to do with these worthies, preferring to submit our financial questions to our own taxpayers, and to be governed by their action in each case.

Under the new charter of 1898-9, authorization was given to the corporation to consolidate its public debt. This led to a transaction which proved the Waterloo of the old *régime*. In the spring of 1899 the leaders of the dominant party undertook to float a loan of three million dollars. The reform element declared in favor of open competition for the bonds, the same to be publicly advertised and the best offer accepted. Not so the men in command. They preferred to receive only private bids from a favored few. The result was that the local bidders formed a combine. The three tenders received were all at practically the same figure,

a trifle above par. Within a fortnight the loan had been resold at a profit to the purchasers, variously estimated at from \$150,000 to \$200,000. The whole city press, French and English, arose in condemnation of those who had thus permitted the profit which belonged to the public to accrue to the benefit of favored individuals. The vote of Council on the question became the test of merit, the dividing line between the sheep and the goats, at the next election. As an index of what public opinion can do when aroused, it is interesting to note the result. That council contained twenty-six members: ten voted against the loan and one was absent, perhaps not unavoidably. The ten aldermen who opposed the transaction by their votes in Council were, to a man, re-elected, only one having opposition. Of the fifteen who voted for the consummation of this deal, seven were defeated at the polls, three found it desirable to retire from the contest, two secured their seat by means which have been openly declared to be fraudulent, in fact, there are only five of these gentlemen left in our City Council to-day, and these are without standing and practically without influence. That loan undoubtedly meant financial loss to the City of Montreal, but the results which it brought about are perhaps worth the cost. The election of 1900 brought in a new administration. Out of 34 members, 22 were distinctly pledged to municipal reform, and with one or two exceptions, these have remained true to their pre-election promises.

The so-called reform administration has been in control of the municipal government for the past fifteen months. No very radical changes have taken place. No new schemes for vast improvements have been put into operation. It is impossible, in fifteen months, to reverse a machine which has been running rapidly down hill for fifteen years. But the brakes have been successfully applied. The downward career has been checked. The movement upward has commenced; progress, to be sure, is slow, yet it is steady. Owing to the financial position of the city, previously explained, the various services are still of necessity being operated with painful economy, but the impartial collection of the revenue and the open competition for municipal privileges are yielding increased income. Next year a 10 per cent increase in the amount available for current needs is expected, and a 20 per cent increase is probable for the year following.

Prior to the advent of the present Council it had been openly alleged that civic promotions and appointments were a matter of barter and sale. The charge was publicly made that a "toll-gate" existed, through which all candidates must pass, and this charge was never satisfactorily refuted. In the fall of 1899 the reform minority in Council endeavored to secure an investigation into the workings of the Police Department. A measure to this effect was indeed finally carried through the Council, and the Police Committee instructed to hold an investigation. But on the day when the first witnesses were to be examined, each member of the Investigation Committee was served with a writ of prohibition, an injunction having been granted by the court. The investigation was then delayed, by legal quibblings, until after the elections, but by that time nearly all the aldermen who were supposed to fear exposure had disappeared from public life. I can say with confidence that the systematic purchase of positions no longer exists in Montreal. In the Police Department to-day promotions are made on merit, a system of civil-service examination has been introduced, and no man can be named constable until he has passed a satisfactory examination. Aldermanic pull in this department has entirely disappeared. The Chief of Police, who was regarded as being too much in sympathy with previous methods, and whose reputation had suffered in a libel suit against a local newspaper, saw fit to resign, and is about to be replaced by a man of energy and ability. A number of civic officials, occupying prominent positions, whom investigation proved to have systematically defrauded the corporation for years have been dismissed, and in some cases legal proceedings have been taken to punish them.

In the awarding of municipal contracts the lowest responsible tenderer has received the work in every instance since the advent of the new Council.

Unfortunately for Montreal, the franchises have been either given away by the Legislature or disposed of by the Council for far less than their value.

In 1892 the Street Railway Company secured a thirty-year franchise; they pay to the city about \$80,000 annually, and give low fares, but the fact that their stock is quoted at 283 for a \$100 share is sufficient proof that the city has not received full value for the franchise.

In 1895 the Gas Company secured a fifteen-year franchise and the right to charge citizens \$1.20 per 1,000 cubic feet for gas; for this the city receives practically nothing. Here again the stock is being sold at $2\frac{1}{2}$ times its par value.

In 1892 the Council granted a renewal of the electric street-lighting contract for ten years at a high figure, after refusing to consider lower offers made by other responsible parties. Now, however, the present Council is calling for bids, upon its own specifications, in ample time to permit of competition, and it is confidently expected that a reduction of at least twenty-five per cent in the cost of electric street-lighting will result. Should this expectation fail of realization a municipal electric lighting system is not an impossible alternative.

The campaign of the future in Montreal will probably be fought out on the lines of home rule. We now dread the Legislature more than we dread our own people. Under our present charter all questions, involving large expenditure, may be submitted directly to those who will be called upon to bear the added burden necessarily involved. It is the intention of the present administration, if continued in office, to lay before the taxpayers certain well-defined schemes for public improvements. If these projects are ratified, Montreal will continue to advance as a well-equipped and well-adorned city.

From this brief exposé of the municipal situation in Montreal, it will be seen that municipal reform has made great advances during the past few years. It seems hardly possible to believe that matters will ever again be allowed to relapse into their former condition. We have certain peculiar problems and difficulties, owing to our dual language and distinct nationalities, but we have as yet avoided politics in municipal affairs, and trust we may continue to do so. A sober, hard-working, law-abiding people inhabit the northern metropolis, and though we may perhaps make haste slowly, the temper of our people is conservative, and once having won honest municipal government, we are not likely soon to let it slip from us.

THE CHARTER SITUATION IN MINNESOTA.¹

JOHN SCUDDER MCLAIN,Editor of "The Journal," Minneapolis.

The city of Minneapolis has been the most active factor in the charter reform movement of the last decade in Minnesota, but strangely enough, has profited least through the agitation. Other cities have secured reasonably modern and satisfactory charters and have attained to that most desirable of municipal conditions—home rule. But Minneapolis is still operating her municipal institutions under a charter constructed for a city of 50,000 people and at a time before most of the modern ideas of municipal reform had been conceived.

This Minneapolis charter, in common with all other municipal charters antedating 1892, was framed by special act of the state legislature. As originally adopted in 1881 it was a tolerably complete instrument for the time and the size of the city. During ten years of subsequent rapid growth (in which the city gained 251 per cent in population) the charter was amended from time to time to meet the demands of this almost unprecedented development. This process brought the city to the close of the year 1891 with an unwieldy and much patched charter—a charter having many good features, but scarcely a suggestion of modern progress in municipal affairs.

At this point all special legislation in Minnesota was abruptly stopped by the adoption of a constitutional amendment prohibiting such legislative acts. The next session of the legislature saw an attempt to frame a general charter law for cities of a certain "class" but the utter inability of the representatives of Minneapo-

¹ This statement was not formally prepared for submission to the Conference, but was in the form of a letter to the Editor, who was of the opinion that data it contained was of such value that it ought to be included in the Proceedings.

lis, St. Paul and Duluth to agree on a measure which would be suitable for all three cities made the effort futile. A like result attended similar movements in the legislatures of 1895 and 1897. In these legislative charter campaigns the representatives of Minneapolis, backed by prominent people who were devoted to the cause of charter reform, took a most active part.

It being evident that the conditions and traditions in the three cities were such that agreement on any general charter law must be impossible, the legislature of 1895 proposed a "home rule" amendment to the state constitution which was subsequently ratified by the people of the state in 1898. This amendment provides that a city may by petition secure the appointment of a charter commission which is to draft a charter which is to be subsequently submitted to the vote of the citizens for adoption or rejection—the whole under certain general provisions and restrictions, but affording a quite satisfactory basis for the attainment of home rule.

Acting under this constitutional amendment Minneapolis secured the appointment of a commission which prepared, with great care, a charter which was submitted to popular vote, in 1898. Though receiving a majority this charter failed to secure four-sevenths of "all the votes cast at the election" as required by the constitutional provision and therefore failed of adoption. Another commission was appointed early in 1900 and another charter, similar to the charter of '98, but much more radical in many particulars, was framed.

This charter was based on the so-called "federal plan"; executive, legislative and judicial functions were distinctly separated. The mayor was given large responsibility and by having the appointment of the executive heads of all departments and being charged with the execution and administration of the work of these departments, was held directly accountable to the people for the good government of the city. The council was allowed no appointive powers, but was given full charge of the financial affairs of the city as well as the ordinary legislative functions. A system of "aldermen at large" as well as of ward representation was introduced. Both mayor and aldermen were given enlarged salaries with the idea of adding dignity to the offices and securing the services of a better element.

The charter of 1900 gave large powers to the people, introducing a modified initiative and referendum and adding to the number of elective officials. Civil service, retirement or "pension" provisions for teachers, firemen and policemen, the eight-hour day for city employes, a 3 per cent gross earnings tax on public service corporations, a reduction in rates for public services, and a separation of municipal and state elections, were among important provisions of the charter.

It was generally believed that the charter attempted too much. With a rather apathetic state of the public mind and no one vital issue to centre upon, the friends of the charter found themselves confronted by numerous groups of voters who were each opposed to one or more of the new departures of the charter. This combined opposition was too much for the reform element, which was also handicapped by the intense interest in the national election and the state campaigns.

The charter received 10,571 affirmative and 13,795 negative votes, or 24,366 out of a total of 40,300. It failed, therefore, not only securing the necessary four-sevenths of the total, but even of a majority of the votes cast on that issue. On the other hand, the total vote on the charter in 1900 was a larger percentage of the total vote at the election than in 1898, suggesting an increased interest in the subject.

It is the general opinion of the best-informed that no charter can carry in Minneapolis until the public has been much better educated on municipal needs or until some imperative crisis calls the inattentive to the polls; or, failing either of these, until the charter question can be submitted to the people at a special election where it may be decided upon its merits without the complications and diversions of a general political campaign.

It should be stated further that the last legislature, which adjourned April 12, provided that special elections might be called in the cities of the first class, which included Duluth, St. Paul and Minneapolis, for the purpose of voting upon submitted charters when the matter is presented to the council by 5 per cent of the voters and is approved by a two-thirds vote of the council. This is to remove all doubt as to the legality of a special election to

vote on the adoption of a city charter. It was held by the city attorney of Minneapolis that as the law was previously written a special election could not be called to vote on a charter. This helps the matter somewhat in Minneapolis and may contribute to the success of the charter movement here in the future. One trouble with the adoption of a charter at the regular election is that here in Minneapolis we have city, county, state and congressional elections all at the same time, with the result that charter questions are often overshadowed by political considerations and the interest taken in particular candidates.

St. Paul adopted a new charter with the home rule plan at the spring election a year ago. The new charter was substantially the old charter previously in effect in that city, and the situation there, I think, presents no new phases aside from that not understood heretofore.

Duluth adopted a new charter in February, 1900. This was the second effort in that city, the first having been made in September, 1898. The first effort at home rule was defeated by a small majority through the efforts of the board of public works which it legislated out of office. At the second election the proposition was first declared defeated by thirteen votes, but the charter commission carried the matter to the courts on the ground that blank ballots should not be counted as making up the total number of votes. On this issue the commission won, the charter being declared carried by one vote.

The people of Duluth are pleased with the home rule plan. The present charter of Duluth appears to need some revision, as it was made up by several committees, some of whom had charge of certain sections, others of other parts, and the time allowed was not sufficient for thorough comparison and harmonizing. As a result confictions occurred between different parts of the document, and in some cases the matter was left in such indefinite form that it was impossible for officials to follow exact instructions in either place, contenting themselves to temporarily pursue what was believed to be the intent. But amendments, you understand, under our law may be submitted at any election. Duluth corrected these defects at the next election.

The Duluth charter makes the mayor, the comptroller, the treasurer, and sixteen aldermen, two for each of the eight wards, elective. The regular elections are held the first Tuesday in February each year. The council is composed of one house. The members of the council are prohibited from demanding or soliciting any department officer or employe of the city to engage or hire any person to work for the city, or to place any person upon the pay rolls of the city, the offence being described as a misdemeanor.

The mayor appoints the members of the board of public works, the members of the board of fire commissioners, the members of the board of water and light commissioners, the board of civil service commissioners and the city assessor. With the consent of the council he appoints the city attorney, the health commissioner, the city engineer, the building inspector, and three members of the library board. With the consent of the judges of the district court he appoints a board of park commissioners. In the same chapter relating to non-elective officers, boards and employes, it is provided that "the officers and members of the boards mentioned in this chapter shall, subject to the civil service and other provisions of this charter, and the rules of the civil service commission, appoint and may at their pleasure remove, discharge or suspend their assistants and such subordinate employes in their respective departments as the common council and the provisions of this charter may authorize them to employ."

The classified civil service consists, first of "all the members of the police and fire departments, except the chief of police and the chief engineer of the fire department; second, all persons employed in any office or department of the city in clerical or office work, except the following: 1st, the secretaries, whose appointment is specifically provided for in this chapter; 2d, deputy assessors; 3rd, the chief librarian; 4th, any employe in any office of the city a part of whose duty it should be to handle money; 5th, the assistant city attorney; 6th, any officers elected by the people or appointed by the common council, or whose appointment is provided in Section 81 of this charter; 7th, election inspectors, clerks of election, special policemen and detectives."

NON-PARTISAN vs. PARTISAN MUNICIPAL GOVERNMENT IN BIDDEFORD, ME.

HOWARD HAMILTON,

Secretary, Citizens' Municipal Association, Biddeford, Me.

All the articles which have come before the annual meetings of the National Municipal League relating to the condition of cities, that I have read, have related to the larger cities—those having 100,000 inhabitants or more.

Believing that the knowledge of the great benefits—financial as well as moral—that have accrued to this city during the last five years under non-partisan administration of municipal affairs will greatly encourage the friends and advocates of good government everywhere, and especially to those living in some one or more of the 250 cities in the country having less than 20,000 people, I submit the following, without exaggeration on one side or undue praise for the other:

Biddeford has a population of 16,500, about 2,800 voters and a valuation of \$7,000,000. The principal industries are the construction of cotton manufacturing machinery, giving employment to 1,200 men, and the manufacturing of cotton goods, in which about 3,500 people are employed.

Up to March, 1896, our municipal government was first in the hands of one of the old political parties and then in the hands of the other. State and national politics entered largely into our municipal elections, and each party from time to time contending that it could manage city affairs better than the other. The struggle was for the ins to stay in and the outs to get in. Meanwhile the city going deeper and deeper into debt, large assessments were regularly made on city office-holders. Contributions to the election fund were expected and received from the members of the

party in power in order to stay in; also by the outs in order to get in, and profitable contracts found their way into the hands of the liberal contributors.

City appropriations were overrun and increasing balances were carried over; open accounts were left for the next administration to pay, city property and unpaid taxes of very doubtful values were carried as assets on the city's books, thus blinding the people as to the real condition of affairs. Our outstanding bonds and notes had exceeded our five per cent statutory limit since 1886.

On January 31, 1896, according to our treasurer's report, we had outstanding notes and bonds amounting to \$486,300, or \$139,000 indebtedness beyond the legal limit. In addition to the above, a large balance account was carried into the next year, and there were thousands of dollars' worth of open accounts held against the city, the amount of which it took some time to ascertain.

Bankruptcy stared us in the face—in fact, we were bankrupt; further bonding of the city was impossible, and taxes outrageous, with a prospect of further increase in the rate, unless there was a radical and immediate change in the management of municipal affairs.

In February, 1896, previous to our annual March election, a few of the leading men of both parties met to devise some means of ridding the city of the evils of partisan government; a preliminary organization was formed (which later became the Citizens' Municipal Association).

This organization demanded that state and national politics should be absolutely eliminated from municipal affairs, the nomination and election of city officers solely on account of their honesty, capacity and efficiency, and that municipal affairs should be conducted upon non-partisan and strictly business principles.

The movement grew rapidly in numbers; nominations were made, equally divided between the best men of the two old parties, and endorsed by the Democratic party. After an exciting campaign, at an exciting election, the "Citizen" candidate for mayor was elected by a good majority and the "Citizen" ticket was elected in four of the seven wards, thus giving the "Citizens" control of municipal affairs.

At the first inaugural of our "Citizen" mayor, he said in his inaugural address: "Instead of a debt of \$486,000, we have a debt of nearly, if not quite—and I think it will come fully up to—\$600,000. This is the condition in which we find our city to-day." Under a debt of $8\frac{1}{2}$ per cent on our valuation, we were in position to repudiate a large amount which had been illegally contracted; but to the credit of our citizens, repudiation was not to be thought of. A great problem confronted the administration as to the ways and means of extricating the city from this financial situation.

It is not necessary to go into details as to the ways and means that were used to accomplish such grand results as have been accomplished in this city during the last five years, but only to state that every succeeding election has shown increased satisfaction, and increasing faith in the principle of administering municipal government on a non-partisan and business-like basis.

In March, 1897, we re-elected our mayor by an increased majority and carried six of the seven wards. In 1898 and 1899 the "Citizen" mayor was elected and all seven wards carried. In 1900 there was no opposition to the "Citizen" candidates; neither was there any in March, 1901, both the old parties endorsing the "Citizen" candidates. On January 1, 1901, the end of our fiscal year, and the end of the fifth year of non-partisan administration, our treasurer stated in his annual report that the city's indebtedness in notes and bonds was \$357,800, and \$2,400 cash on hand, and every open account up to that date had been paid. Deduct cash on hand from the debt January 1, 1901, and we have a debt of \$355,400. Deduct this last amount from \$600,000 debt, as estimated by our mayor in March, 1896 (he was our treasurer last year, also this year) and we show a reduction of our debt, in five years, of about \$245,000, and during that time the tax-rate has been reduced 20 per cent. In March we re-elected all our municipal officers of last year, and during this, our sixth year of non-partisan rule, we expect to make such a reduction in our present debt as will place us well inside the legal limit.

In addition to the financial benefits that have been derived from this non-partisan movement in this city, there are other grand results, especially as to the purchase of votes, a practice that has been entirely abandoned in our municipal elections in the last few

years. The example of non-partisan municipal government—set here—is having a decided effect outside of this city. Our neighbor city, Saco, just across the river, and the only other city in York County, has this year elected its first non-partisan city government, and the following towns in this county have also fallen into line and elected officers belonging to both the old parties, viz: Old Orchard, Alfred, Lebanon, Shapleigh and Waterboro, and it is not improbable that an effort will be made to extend this movement to the election of county officers.

This reform movement is being agitated in other cities in this state. While the effort has been but partially successful in a few cities, there is no doubt that, in a few years, several more cities in the state, if not every city, will follow the example set by Biddeford.

THE REVISION OF THE NEW YORK CHARTER.

JAMES W. PRYOR,

Secretary, Council of The City Club, New York City.

The character of the new law revising the charter of New York City can be understood only in the light of the experience of the city in the matter of charters.

For the City of New York the word charter has almost ceased to have the meaning attached to it by the National Municipal League. Of the three so-called charters for the city enacted within the past twenty years, none has been in the nature of a general grant of powers from the state to the city, under which the city should regulate and manage its own affairs. Even the charter of 1873, which covers only forty-eight printed pages, and is quite general in its provisions, makes no attempt to deal with the laws in force at the time of its passage. This fact, together with the industry of the Legislature in enacting special laws as to New York City, soon destroyed the comparatively symmetrical and compact character of that charter. In 1873, sixty-four special laws affecting the city were enacted, several of them in the form of amendments to the charter passed at the same session of the Legislature. In 1874 fifty-one such laws were added to the accumulation. By this process the charter had been fairly buried under a mass of unrelated local laws, when, in 1879, the Legislature passed a law for the appointment of a commission of three persons to compile and revise the laws relating to the City of New York. The first result of the labors of this commission was the publication of a compilation of such laws, arranged by subjects, covering two hundred and fifteen printed pages. Only such laws as the commission believed to be still in force were included. This compilation was presented to the Legislature of 1880, with a preliminary report

of the commission. As the result of two more years of diligent and painstaking work, the final report was presented to the Legislature of 1882, with a draft of "an act to consolidate into one act and to declare the special and local laws affecting public interests in the City of New York." The bill became a law. It covered nearly six hundred printed pages. The title describes it correctly. It was drawn entirely from laws then in force. It brought together such laws in an orderly arrangement, and made it much easier than it had been to determine the probable law upon a given point. But it did not contain any general repealing provision, and could not be accepted as containing all the law. By its bulk and the minuteness of its provisions it invited amendment. The Legislature continued, year after year, to pass local laws relating to New York City, many in the form of amendments to the consolidation act, and many without reference to it. In 1897 the condition of the law relating to the city of Brooklyn was similar to that of the law relating to the larger city.

The enactment of the Greater New York charter of 1897, under which the government of the new city went into operation on the first day of January, 1898, is a matter of recent history. It is hardly necessary to recall the insufficiency of the sum of money provided by the act creating the commission; the hurried character of much of the work done, particularly at the last; the employment of different men to draft different parts of the charter, each without knowledge of what the others were doing; and the unseemly manner in which the bill was hurried through the Legislature, despite its many serious and obvious weaknesses.

This act, covering five hundred and fifty-nine printed pages, and purporting to be the charter of New York City, was only part of the law affecting the municipality. For the charter expressly provided that a vast, undefined body of laws relating to the component parts of the new city should remain in force in such a way as to apply to the new City of New York, so far as they could be made to apply. These laws were not tabulated or designated by the charter commission. The act itself was made up in large parts of petty provisions in the nature of ordinances, and the framework of the municipal government was so obscured by the volume of such provisions that it could hardly be discerned. The most

noticeable point about the operation of this law was that it so diffused responsibility and complicated the machinery of government that responsibility could not be fixed. Three of the new things in the act, upon which the commission particularly relied to produce good results, soon proved to be complete failures. The Municipal Assembly, with two chambers; the Board of Public Improvements, theoretically having large and important powers, and the local boards of improvements, with the borough presidents, failed to develop the smallest value in practice. They did not work. Citizens could not understand the organization of the city government; they gave up trying to understand it. The government could not be seen for the charter.

The enactment of a law to create a commission to revise the charter in 1900 might well have been made the occasion for the protracted and careful study demanded by the importance of the subject. Time and money are of small importance in comparison with the end to be secured. The City of New York could well afford to pay five million dollars for the best charter that the best experience could make under the most favorable conditions. Such a charter would save the city more than that amount in a single year. The Legislature could not be persuaded to look at the matter in any such light. The bill provided for the appointment by the governor of a commission of nine, and an appropriation of only \$25,000, the report of the commission to be in the hands of the governor by the first of December, 1900. The report was duly finished, including the complete text of a bill to amend the charter throughout in accordance with the recommendations of the report.

It is interesting to observe that in several important points the recommendations agreed with those of the Municipal League's Committee on Municipal Program. This Program was undoubtedly brought to the attention of all the members of the commission; and it can hardly be doubted that it had some influence upon them, and upon the commission as a whole. Of these points, the principal are the following:—

1. Power in the mayor to remove officers appointed by a mayor, at any time during his term. Under the first Greater New York charter this power could be exercised only during the first six months of the mayor's term. The act does not contain, how-

ever, the provision which appears in the Municipal Program, and which has commonly been insisted upon by those who have advocated the extension of the power throughout the mayor's term, that in each case of removal the mayor shall make a statement in writing of the reasons for the removal.

2. An indefinite tenure of office for all appointed officers.

3. The strict application of the merit system to the civil service of the city.

4. Municipal ownership of water supply and wharves.

5. Minority representation in the local legislative body. The commission, having some doubt as to the constitutionality of legislation to provide for such representation, recommended the adoption of a constitutional amendment to remove the doubt. The same recommendation was made by the commission which drew the charter enacted in 1897.

6. The exclusion of water bonds from the amount of municipal indebtedness to which the constitutional limitation shall apply. To this end the commission recommended a constitutional amendment.

7. Sufficient power in the local legislature to enable it to make all necessary provision for the administration of the city government within the general lines laid down by the Legislature of the state.

While the Legislature made many changes in the bill as drawn by the Revision Commission, the points enumerated above were not seriously affected by these changes, with the exception of the provisions as to the local legislative power. These provisions were so altered by the Legislature as to distribute this power among the administrative departments in the manner which had worked very badly under the charter of 1897. Certain of the other changes will tend to impair the character of the act as an harmonious whole, and to make it more difficult to understand the functions of the various municipal officers, and to hold them to responsibility.

The Revision Commission retained the provision of the former charter making the term of the mayor four years. The Legislature has made this term two years.

Upon the whole, the act, which will go into effect on the first of January, 1902, is a decided improvement upon the charter of 1897; but it is not the kind of a charter which scientific treatment would have evolved, and under it the old evils, particularly those of constant ordinance-making by the State Legislature, may be expected to continue to a considerable extent.

SOME RECENT CHARTER LEGISLATION IN PENNSYLVANIA.

EDWIN Z. SMITH,

President Civic Club of Allegheny County, Pittsburg.

In two carefully prepared papers, hitherto read before the National Municipal League, the deplorable condition of the government of the great city of Pittsburg, and the earnest, but unavailing, struggle for its reformation, have been faithfully and graphically pictured. The first of these papers was upon the "Municipal Condition of Pittsburg," and was read by George W. Guthrie, Esq., at the Baltimore Conference, in May, 1896; the second had for its subject "Municipal Reform in Pittsburg," and was presented by Mr. Oliver McClintock before the Annual Conference at Indianapolis, in December, 1898.

For the present writer to retrace the ground so admirably and comprehensively covered by his distinguished townsmen would be a work of supererogation and a cumbering of the records of the League.

It remains for him, therefore, to take up the history of Pittsburg's affairs at the point to which they had brought it, only glancing back far enough to get the proper relation of the events which have since transpired.

Against the evil conditions described with such clearness in Mr. Guthrie's paper, the people of Pittsburg, who desired better government enough to work or vote for it, organized a movement directed by the Citizens' Municipal League. This body was non-partisan; but as the normal majority in Pittsburg is largely Republican, and as there was general discontent with the conduct of municipal affairs, the citizens from this party naturally had a preponderance of numbers and influence in the counsels and work

of the League. The ticket put forward by this organization at the municipal election of February, 1896, for the offices of mayor, controller and treasurer, was an excellent one, and was headed by George W. Guthrie, Esq. To this ticket the Democratic party of the city gave its formal (or, it might better be called, its nominal) support, and a contest followed which was both stubborn and bitter between the local Republican organization, in possession of the city government, and the friends of municipal reform. At the end of the struggle it was found that the Republican candidate was elected, but by a narrow margin, and by such more than doubtful methods, that the League felt justified in instituting a contest. This, after dragging along its slow length for nearly two years, resulted only in cutting down the majority of the Republican machine candidate from 1,200 to 600 votes, a consummation probably due to the too strict interpretation by the county courts of the laws regulating election contests. Whether or not, therefore, Mr. Guthrie was really elected will never be known, but what is certain is that he did not obtain the office, and the hopes of the reformers were, for the time, blasted.

Nothing daunted, however, they pulled themselves together, and entered into another contest in the councilmanic election of February, 1898, with a view of obtaining control of, or, at least, adequate representation in, the City Councils, which, under the existing charter, were the repository of practically all powers, both executive and legislative. In this election the turning point of the struggle was the re-election of George H. Stengel, Esq., councilman from the wealthy, populous and independent Twentieth Ward, who had been elected two years before by the best element of the suburban district in which he resided, and whose aggressiveness, faithful attention to business and intelligent criticism of administration methods had rendered him heartily obnoxious to the local political leaders. At the same time, reform candidates for councils were put forward in other wards, and a strenuous effort was made to elect enough good men in each branch of councils to establish through them some sort of censorship, at least, over municipal affairs. Every means known to modern political management was used to defeat Mr. Stengel, including the colonization of voters from other wards, the lavish expenditure of money

and the application of every kind of personal influence upon citizens. At the end of the poll the reform candidate was defeated by eight votes, and although in this case, also, a contest was begun and carried through, the fraudulent votes could not be discovered, and Mr. Stengel stepped out of councils to make way for the representative of the machine.

It may be noted, as an interesting case of that variety of justice known as poetic, that the most active and able of the so-called ring candidates elected over Mr. Stengel and his confreres has since shown an independence of spirit and action in councils that has won him the respect of that part of his constituency which opposed him, and the disfavor of the organization by which he was elected. With one or two exceptions, the few other councilmen elected on the reform ticket have proved unequal to the temptations offered them by the side where favors, instead of hard knocks, were to be received, and have gone over to the enemy.

On the whole, therefore, the result of this election, while demonstrating that a large vote could be brought out for good men by dint of activity and organization, was damaging to the prestige of the Citizens' Municipal League; and it has, in fact, never since taken the open field in an election campaign, but has reserved its energies and strength for an opportunity to use them with greater effect. It is only too well known that not even victory and continued success can hold together the loosely-bound ranks of a local reform party. Made up of men of divergent political opinions, and united only by a common desire for better municipal conditions, the tendency is always towards disintegration and return to the older organizations which stand for national issues. Having, as a rule, nothing more than any other citizens to gain, and much to lose by an activity which is sure to make them powerful enemies; and being busy and useful men who must borrow from their important private affairs the time which they devote to the public good, the altruistic inspiration will only support them for a certain period. Disgusted with prevalent political methods, and desperate of making headway against corrupt politicians long intrenched in a power secured to them by the indifference of a majority of the citizens, they inevitably become discouraged and withdraw themselves from their political inter-

ests and activities. While the professional politicians, who have been through similar experiences many times before, bend gracefully and smilingly before the storm which he cannot for the moment withstand, well knowing that the reformer will soon weary of well-doing, and the "machine" will presently resume, at the old stand, its business of dispensing the loaves and fishes to those whom politics is not an avocation, but a vocation.

Such was the experience in Pittsburg. The Citizens' League practically disbanded as an organization, and there remained only a comparatively small number of its leaders, devoted and earnest men, who refused to acknowledge permanent defeat, but held themselves ready to embrace the earliest opportunity for a new revolt against the dominant machine. In the meantime, they found a resting-place in the Pittsburg Chamber of Commerce, a useful and influential body of men, prominent in the financial, manufacturing, mercantile and professional circles of the city. This organization which, as such, had properly kept clean of any political entanglement, began to bestir itself in the direction of charter reform; and favored by the peculiar political conditions of the county and state at large, in the early part of 1897—the State Legislature being then in session—inaugurated a movement to secure new and better charter legislation in place of that in force, which was most imperfect and unsatisfactory. The defects of the existing charter act—known as the Act of 1887, for the government of cities of the second class—were many and heinous. In Mr. Guthrie's paper, above referred to, they have been most exactly and forcibly analyzed; and no further reference will be made to it, except to call attention to the fact that, under its provisions for the election of councils, it was practically impossible, even by a completely successful revolt, to change the political complexion of these bodies (in whom practically all powers of government were vested) in less than four years. And further, that by an ordinance made by councils under usurped authority, it was arranged, with an ingenuity little less than devilish, that the expiring councils should elect the heads of the city departments for a term of four years, thus enabling them to use the whole executive power and the great public patronage of the municipality to secure the election to the next councils of the

members controlled by them. Favored by such provisions as these, and by others making it possible for favored contractors to absorb practically all valuable city contracts for public improvements, the local leaders of the Republican party had built up, with infinite care and with undeniable skill, an impregnable machine, which acquired an absolute control over the offices, the government and the business affairs of the city of Pittsburg and of the county of Allegheny, wherein it is situate. It was against the power of this organization that the Citizens' Municipal League had waged its unsuccessful war.

Encouraged by its local success, the astute leaders of the Pittsburg machine determined to assert themselves in state and national politics, having ambitions which soared beyond the limitations of the city and county. Accordingly, they entered the arena in the party conventions for the election of delegates to state and national conventions, and sent to the former bodies compact bands of delegates who by their leadership, numbers and discipline began to exercise a marked effort upon the politics of the state, in the matter of choosing candidates for state offices and for representation in the national conventions. These operations, as may readily be imagined, quickly brought the Allegheny County organization into conflict with the then United States Senator from Pennsylvania, who had been for years, and still is, the almost absolute director of the destinies of the great Republican party in this state, and who, in his party, claimed the right throughout Pennsylvania both to control the nominations for State Legislature and to select the delegates to both state and national conventions.

It would be as unprofitable as humiliating to trace the history of the internecine warfare that ensued between the Republican local and state organizations, involving the political control of Allegheny County and the city of Pittsburg, and the privilege (theoretically supposed to belong to the voters) of choosing the candidates for all offices not strictly local. In most cases this candidacy meant certain election, as the Republican majority was large, and was supplemented by the votes of a hybrid class of degenerate members of the opposite party, who shamelessly announced the extraordinary proposition that they were good Republicans in city and county affairs (presumably for what there

was in it), but that in national and state politics they were unterrified Democrats. Finding the local organization so powerful and so strongly knit that repeated assaults failed to bend it to his will, Senator Quay entered into a working agreement with the local leaders under which the latter retained control of the local organization and offices, while the former, in consideration of keeping his hands out of local affairs and of securing for his new allies such state legislation as they needed, was permitted, through them, to secure the election of such delegates to state and national conventions, and such members of Legislature from the districts comprised in Allegheny County, as would be guided in all things by his directions.

That such bare-faced traffic between political leaders in the rights, laws and offices of a so-called free people is of not uncommon occurrence, must, with shame and despair, be admitted by every intelligent American. But it remained for the Pennsylvania brand of politicians to reach the topmost round of effrontery, and to reduce the citizens of that commonwealth to the lowest depth of civic poverty and humiliation, by putting into cold terms of a written agreement, signed and delivered by the contracting parties, a bargain under which the people of Allegheny County were practically deprived of almost every sacred right of citizenship. That such an agreement had actually been made was revealed after the expiration of its term, when a similar document was prepared for a further period, but failed of execution because of a bitter political quarrel which sprang up between the parties signatory. In the course of this dispute, which grew out of the fact of one of the parties trenching on the express rights (God save the mark!) of the other, the text of the proposed agreement was published by one and acknowledged by another of the parties. And it is perhaps the most astounding and significant fact in connection with the transaction that the parties to it proclaimed it without compunction and without any apparent realization of the moral obliquity of their act, and that the abused public, far from being fired with indignation at the revelation of this amazing conspiracy against its civil rights, merely shrugged its shoulders with a smile and the remark that it had supposed that such an agreement existed, but was not aware that it was in writing.

The quarrel between the state and local organizations warmed into an open contest, and in this dissension the leaders of the reform movement in Pittsburg saw—or thought they saw—the opportunity to obtain from the Legislature, then in session and dominated by the Republican state chairman, Senator Quay, the new charter act which they had so long and anxiously desired. They, therefore, entered into negotiations with the Republican leader, who lent an attentive ear to their representations, and presently issued a pronunciamiento stating that a strong sentiment existed among the people of the state in favor of municipal reform, and that the carrying through of the proper and necessary laws to that end would be the immediate and chief interest of the party.

It may be remarked in passing that the term of office held by the party leader in the Senate of the United States was soon to expire, and a powerful insurrectionary faction in his party, of whom his political enemies in Allegheny County formed the strongest element, had announced its determined opposition to his re-election. How far the desire to make new friends in place of those estranged, and to strengthen his position in the approaching contest, moved the Senator towards these, to him untried, paths of municipal reform, is a question to which the answer can be found in the context.

Heartened by this virtuous public declaration of the Republican leader, and still more elated by his express promise to representatives of the new charter movement in Pittsburg that his Legislature (for he owned it) should give them the succor which they demanded, they entered with hope and spirit upon the task of preparing, presenting and pushing through a new charter act for cities of the second class, to take the place of the Act of 1887, referred to above.

Working mainly through the Chamber of Commerce, a vigorous campaign was initiated. Mass meetings were held at which the old charter was denounced and a new one demanded; able attorneys were retained who prepared a new act; influential committees were dispatched to the seat of government to impress upon the Legislature the general public demand for a change in the form of government; and in this agitation many of the foremost citizens of

Pittsburg, who had never before entered into politics, took an active and enthusiastic part.

Of the proposed charter nothing need be said except that it was an excellent working instrument, prepared by men of experience and ability. Other charter acts were introduced at the same time, notably, one which was prepared by Lieutenant-Governor Lyon (Senator Quay's viceroy in Pittsburg), which practically amended the classification of cities, so that Pittsburg would have been entitled to the benefit of the Bullitt Charter Act, under which the city of Philadelphia is governed; and provided that, upon entering the new class, all offices under the old régime should be abolished and the new offices filled by appointment of the governor until the next regular municipal election.

This crucial measure was accepted by the reform leaders, who were so far carried away by the exhilaration of the thought of the new dispensation soon to be established that they lost sight of its improvident and revolutionary nature. And it was opposed only by a few of the cooler headed, who considered it as dangerous in policy, as it was bad in principle. Of course, the new measure, especially the "ripper clause," was highly obnoxious to the Pittsburg administration, by which it was opposed with vigor and determination. Hearings were held by the legislative committees, at which much political foul linen was aired, and the city of Pittsburg was on one side held up as an exemplar of the best governed city, with an administration the purest in the country, while on the other it was roundly denounced as a sink-hole of maladministration, corruption and general iniquity. What motives or causes brought about the result is not public history, and while it is not difficult to guess that Senator Quay, having obtained from his political opponents such concessions as satisfied him, had no further immediate use for the people who bore the dangerous title of reformers, other influences, more meritorious, may have moved him. Indeed, he caused it to be announced that he had not the strength in the Legislature to pass the promised legislation. At any rate, to the consternation of the charter advocates, the bill, after passing second reading in one branch of the Legislature, went no further, nor could any demands, threats, arguments or pleadings advance it one jot. The session of the Legislature

closed, the local machine remained in power in Pittsburg under the old charter, and the leaders of the charter reform movement found themselves by the wayside, their hands full of broken promises, and all their big hopes shrunk as if by magic to the pitiful compass of a gold brick, of stately proportions, attractive exterior, but no intrinsic value. Let us draw the curtain on this painful scene.

After this shock to their confidence and sensibilities, the Pittsburg reformers remained for a time quiescent, thinking many things but saying little. The next session of the Legislature, in 1899, passed without active effort on the part of the independent reformers to better existing conditions. The Democratic party organization of Allegheny County took up the subject of charter legislation, had an able and active representative at the state capital during the session, and introduced a charter bill similar to that which had before failed of passage. But all such important business matters as the betterment of a city government were swallowed up in the engrossing political contest involving the return of Hon. M. S. Quay to the Senate of the United States.

This interesting campaign is a matter of recent national political history, and need only be referred to here. The faction of the Republican party opposed to Senator Quay's leadership, popularly known as the "insurgents," formed a combination with the Democratic party of the state for his defeat; and after a stubborn contest, lasting throughout the entire legislative session, were successful in preventing his re-election. His appointment by the Governor of Pennsylvania, and the refusal by the Senate to admit him upon such credentials, is also familiar history. The effect of those events upon the destinies of Pittsburg was to be greater than would appear at first sight.

One of the state senators from Allegheny County, who was a controlling power in the local organization and a signatory of the notorious agreement before referred to, had been the leader in the contest against Senator Quay, and had not only held unbroken against him the insurgents of his own locality, but had, by his bold shrewdness and his ability to make combinations, contributed largely to the strength of the minority faction all over the state. As a result, the adjournment of the Legislature found the two

factions more than ever embittered and a fierce campaign at once opened for the control of the Legislature of 1901, involving the still vacant United States Senatorship, for which Mr. Quay was again a candidate, and the guidance (or rather the dictation) of all state legislation to be passed at the session.

A similar alliance to that of 1899 had been entered into between the insurgent Republican and Democrat managers, and so closely contested had been the election, so doubtful the attitude of certain senators and representatives, that up to the time of the organization of the two legislative bodies the control was in doubt, each side loudly claiming a clear majority. The doubt was very soon resolved, for the adherents of the regular Republican organization succeeded in controlling both houses, and when a vote was taken for United States Senator, Mr. Quay had a majority of seven on joint ballot and was re-elected. This victory at once placed him in control of all the lawmaking during the present sitting of the Legislature, and for the second time it was announced that municipal reform (which had now begun to bear a new and purely political signification) was to be the order of the day.

During the preceding year dissension—a rare visitor in that camp—had invaded the well-disciplined cohorts of the Pittsburg machine. The director of the Department of Public Works, one of the leaders of the local organization, and a man of considerable force and ability, fell out with his associate ringsters. He had occupied his office for some thirteen years to the satisfaction of his political friends, if not entirely to that of the citizens of Pittsburg, to many of whom his recklessness, extravagance in the expenditure of money and arrogant conduct of his duties outweighed his industry, progressiveness and executive ability. Several times during his administration temporary friction had occurred between his department and others, and between him and City Councils, whose creature he was supposed to be. Finally, a decided difference of opinion arose between this official and councils over the proposed acquisition for park purposes of certain lands, which he declared to be excessively valued and improperly located. Their purchase was a part of the program of the city machine, and his opposition immediately brought him into hostility with its other managers. Rather unexpectedly to

them he mustered sufficient temporary strength in councils to defeat the measures to which he objected; and his success in so doing apparently gave him an exaggerated confidence in his own political strength. For, a few months after, one of his subordinates having been discovered in certain peculations, and councils having commanded the appearance of the director before their Committee of Investigation, he flatly refused to obey, ignored their lawful subpoena, and altogether treated them with contempt and contumely. This position towards his superior authority was, of course, an untenable one, and set him openly at variance with councils. He may have relied upon his political influence to maintain his independence. If so, he was disappointed; for at a special meeting of councils, held during his absence from the city, he was unceremoniously dismissed from office, without formal accusation or hearing, and his successor was immediately elected, who at once qualified and has served ever since.

This summary treatment naturally estranged the ex-director and his friends from his former political associates. And his brother, Mr. T. S. Bigelow, a man of considerable means, political experience and astuteness (who had also, in former times, been a city office-holder and member of the machine, but who had long parted company with it, and was latterly known as an adherent of the stalwart organization), threw himself with some energy and effect into the pending senatorial contest. In what directions and through what instrumentalities he rendered his assistance it does not lie in the province of this paper, nor in the knowledge of the writer, to state; but it is certain that when the senatorial conflict was decided, this stalwart champion, with the other local republicans who had been faithful to the regular leader through all the smoke of battle, were supposed to possess more or less potent influence in the councils of the organization which they had labored to sustain, and to be eligible for such rewards as were available and suitable. In order that these rewards might be acceptably arranged and distributed, a revision of the organic law of the municipality seemed absolutely necessary, and through such devious channels and from such motives came the incentive which induced the Republican party of Pennsylvania to undertake the municipal reform of Pittsburg.

The Chamber of Commerce, in which the leaven brought by the survivors of the Citizens' Municipal League had by this time nearly leavened the whole loaf, saw in this condition of affairs another opening to secure new charter legislation, and, disregarding its previous unfortunate experiences, came forward as the proposer of a better and more scientific system of government for the city. The regular Republican leaders appeared to approve the views of the chamber, and commissioned it to prepare such a charter as would commend itself to all who had the good of the city at heart. Accordingly, an extremely able and active committee was appointed, and W. B. Rodgers, Esq., who had for some years been attorney for the city of Allegheny, and whose reputation in his profession, both generally and especially as a municipal lawyer is very high, was entrusted with the work of drawing a new act for the government of cities of the second class. With the advice and assistance of other able counsel, and of the leaders of the charter reform movement, he produced what was known as the Rodgers Charter Bill, which was submitted to the Chamber of Commerce, by it approved, with some slight amendments, and immediately introduced into the Legislature.

This bill was, in many respects, an admirable model of a working charter, and reflected credit on both its author and sponsors. Following in many particulars the Municipal Program proposed by this League, it provided for the most radical changes in the existing system of government for second class cities. The executive power, instead of being wielded, along with the legislative, by councils, was entrusted, with few but proper limitations, to the mayor, in whom was vested the right to appoint all heads of departments and the responsibility for their official conduct. The councils were restricted to their proper business of law-making, and the method of their selection was radically changed. Select Council was to consist of one member for each 2,000 taxables, and was to be chosen at large, the term of office being four years; Common Council was to be composed of one member for each 1,000 taxables, elected by wards and holding office two years. The meetings of councils were to be limited to two sessions a year of not more than thirty days each. Efficient safeguards were thrown around the letting of city contracts. The obnoxious col-

lectorship of delinquent taxes was abolished; and some general provisions were included in the line of civil-service regulation. In all these regards the charter was most praiseworthy; but in the concluding schedule there was added, at the dictation of the stalwart Republican leaders, a clause—the “ripper clause”—which was fraught with the most dangerous consequences. It was as follows:

“Within thirty days from the approval of this act, the governor of this commonwealth shall, by appointment, fill the office of mayor in each of the existing cities of the second class. The persons so appointed shall have the same qualifications as are required for the mayor under this act, and shall have the powers and perform all the duties belonging to the office of mayor, under this act, until their successors are elected and qualified. Said successors shall be chosen at the regular municipal election in the year 1903, and shall be qualified and enter upon their office on the first Monday in April following said election.”

This clause, as will be noted, deprived the people of Pittsburg of the right and privilege of electing the chief executive officer of their city for a period of nearly two years, and placed in the hands of the governor the power of appointment for that period, extending for one year past the date of the regular municipal election in February, 1902. That such a provision as this should be found in an instrument emanating from the spokesman of pure reform must certainly be a matter of astonishment to those to whom this paper is addressed. Its object, evident in itself and openly declared by its authors, was to afford a summary method of removing the incumbent in the office of mayor, because he had been elected by and represented the local Republican organization, and to prevent that organization electing under a new charter a candidate of their own choosing, as it was believed they would be able to do without such legislative interference. In other words, the object of the clause was not so much municipal reform as local political revolution and revenge. Considered in its best light, it was a mere measure of temporary expediency, and was absolutely indefensible on grounds of principle.

The pleas made by its proposers that the new charter should be tested under the guardianship of its friends, not of its enemies;

that the new executive should be an able, honest and fearless official, interested in the success of the new plan—not an appointee of the existing machine—are arguments of expediency only, and will not bear the light of reason. To remove from the people of the city and bestow upon the governor of the state the choice of their executive for a long period, extending for a year beyond the regular municipal election, is a proposition opposed, if not to the letter, certainly to the spirit of the constitution of the state, and is not only un-Republican and un-American, but is freighted, as must be all such revolutionary measures, with the greatest dangers as a precedent. It is not difficult to see that its insertion into a charter, in other respects so admirable and scientific, was a concession to the political faction by whose votes it was to be passed, and a compromise of true principle for political success.

The reformer cannot compromise principle. For it he makes his fight; upon its moral logic are founded his claims to hearing and respect, and if, tempted for the moment by the promise of political allies, or dazed by the unwonted hope of obtaining good government for his fellow-citizens, he loses his hold upon it, he is in deadly peril of losing also his hold upon the honorable title which he bears.

In this form, however, and with such a rider, the charter bill went to the Legislature. Its Pittsburg friends had been assured and expected that it would be promptly passed and become a law, in practically its form as introduced. These expectations were doomed to disappointment. It was too good a charter—even with the “ripper clause”—ever to pass a Pennsylvania Legislature, and interfered with too many possibilities for the practical politician, the office-seeker and the spoilsman. Moreover, there are in the second class of Pennsylvania cities, besides Pittsburg, two others—Allegheny and Scranton—of different sizes, populations, interests and political complexions. The charter had to be adapted to meet their various needs as well as those of our own city. But in their cases, these needs were expressed, not by the municipal reformer, but by the very class of machine politicians at whose

influence the proposed act was apparently aimed. It could hardly be said, therefore, that the charter was received with that enthusiastic approval which its sponsors had hoped for.

Sent into committee, it was promptly attacked on all sides by representatives of the stalwart organization from Scranton and Allegheny, and even Pittsburg itself; it became the subject of political trafficking, involving, it is said, appointments to offices no less important than the judiciary; every municipal politician with an axe to grind whetted it upon this bill, and afterwards used the weapon upon it with effect. The leaders of the regular organization, who were pledged to pass it unchanged, in consideration of the "ripper clause," were utterly unable or unwilling to fulfill their engagements. And when the bill emerged from committee it was so utterly mutilated out of all semblance of its former self and in such a state of dilapidation that neither its author nor its sponsors have recognized or acknowledged it since. The bill was recommitted, was again reported, with further amendments, was finally passed, and, having received the approval of the governor, became a law.

Let us glance briefly at some of the more important alterations made in the original act. On account of some alarm as to the constitutionality of an act that deprived an incumbent official of his office during his term, it was sought to avoid this danger by abolishing the office of mayor and substituting that of city recorder. The original bill declared any mayor, elected or appointed, ineligible for re-election; the amended charter declared the governor's appointees, but not their elected successors, eligible, thus providing opportunity for the first mayor under the charter to build up his party machine and secure his re-election. And there was added this remarkable provision: that these appointees of the governor, and their successors appointed by him, should be subject to removal at his will (with out accusation, impeachment or hearing) during the term for which they were appointed; a safeguard, presumably, against treason in camp. The office of collector of delinquent taxes, unnecessary and objectionable to the people, was reinserted. The provision for a Select Council, elected at large upon a ratio of

2,000 votes, was stricken out, and the old system of select and common councilmen from wards was continued. The bi-yearly session of councils was dispensed with in favor of the old method of periodical meetings throughout the year. Police magistrates, left out of the original bill, were again provided for. These are but a few of the wholesale alterations, but they will serve to show how radically the bill was changed before passage. Little was left of it, in fact, except the provisions which placed the supreme executive power and responsibility in the mayor and the (by this time) notorious "ripper clause," which had been rendered even more intolerable by the amendments referred to above.

Thus was the Pittsburg charter bill wounded in the hands of its friends. It may be imagined that this fruition of their labors was a heavy blow to the men who, in good faith, and after much labor and difficulty, had prepared a good city charter and made ready the way for its adoption. They comforted themselves as best they could (but it was a somewhat cold consolation) with the reflection that they still had the "ripper clause" and an executive with immense powers. By means of the former a change of government would immediately ensue, and through the latter a complete reform might be effected. With a confidence in this outcome of affairs somewhat diminished, they yet waited with some remnants of hope for the appointment of the new city recorder, and the inception of the new régime.

A new series of negotiations began, of which the governor was the centre, and the object the appointment of a strong and able man who would use the great powers conferred upon him for the correction of existing abuses and the establishment of a better government. Several suitable candidates were suggested to, and, it is presumed, considered by the governor. Upon the theory that the situation, viewed from the partisan standpoint, warranted the substantial rewarding of the stalwart politicians, Mr. T. S. Bigelow, to whom public opinion attributed an important influence in the election of Senator Quay and the passage of the charter, was also persistently mentioned as a probable appointee. And it was then believed that he would signalize his accession to office and wipe out some old scores by reappointing to his position at the head of the Department of Public Works his brother, whom the local organization had so summarily ousted therefrom.

About this time, however, the representatives of the local machine (which was popularly supposed to be in a state of desperate confusion and defeat) began to take an interest in the game, and to hold conferences with the governor. What transpired is history too recent to be safely written down; it is competent, however, for the disinterested observer to guess that, among such shrewd and far-sighted politicians as the Governor of Pennsylvania, the United States Senator from the same state and certain experienced leaders of the local Republican machine, it was easily agreed that the fighting had gone quite far enough, and that, upon certain concessions being granted, and other considerations (in the way of mutual political advantages), passing or to pass, the existing administration in Pittsburg might be safely trusted with another lease of power. Whether or not this is a correct statement of the general situation, it is certain that the reformers of Pittsburg were astounded when, on the last of the thirty days allowed by the act to make his appointment, the governor named Major A. M. Brown (personally a man of excellent reputation and a leader of the bar of his county) to be the first city recorder of Pittsburg, an appointment suggested by and agreeable to the Republican city machine. And it was announced, with considerable satisfaction in certain quarters, that the old city officials could probably manage to get along comfortably under the new charter.

If these are the cold facts—and there is considerable reason to so conclude—the party of reform in Pittsburg has again suffered betrayal and defeat when victory seemed surest and nearest at hand. Pending these events, the necessity of a judicial determination of the constitutionality of the new act for the government of second-class cities being very urgent, in view of the enormous interests involved, a suit was brought in the courts of Lackawanna County, in which is situated the city of Scranton, to determine the official status of James Moir, the late mayor of that city, who had been appointed city recorder under the new act. After the hearing and argument, the Common Pleas Court held the act to be constitutional, and an appeal was taken to the Supreme Court of the state. Separate appeals were also taken and intervening briefs filed in behalf of William J. Diehl, mayor of Pittsburg, and James

G. Wyman, mayor of Allegheny City. These cases were advanced on the docket and were argued before the Supreme Court at Philadelphia on the twenty-third of April last, but at the time of this writing no decision has yet been handed down, and the municipal system of Pittsburg, Allegheny and Scranton hangs in the balance.* Whether the act is sustained or not, the reform element in Pittsburg has little cause for satisfaction; for in either case the hope of breaking the power of the dominant municipal machine seems almost as remote as ever.

If this narrative of the adventures of the great city of Pittsburg in search of a charter has seemed dull or long—and yet it is a brief condensation of a vast wealth of material—I beg you to believe that to us it was sufficiently exciting as from day to day its chapters were published in the columns of the daily press.

Seeing in the charter reform an avenue of escape from the intolerable lot of municipal oppression, injustice and maladministration, which we have shared with the citizens of almost every other large city of the land, the fate of each successive charter bill has been watched by us with sensations of the most fervent interest included in that glorious word patriotism, with the love of country, of race, of home and of family, is that strong, warm and filial affection of the citizen for his municipality, which fills alike the heart of the dweller in the homeliest mountain village and in the most magnificent city of the plain. It is this sentiment which enables and inspires us, wherever we come from, to join with the psalmist in his fervid address to his own beloved city:

“If I forget thee, oh, city of my heart!
Let my right hand forget her cunning;
Let my tongue cleave to the roof of my mouth,
If I remember thee not,
If I prefer thee not,
Above my chief joy.”

It is this sentiment which encourages us to come to these conferences and spread before each other the histories of our municipal progress, knowing that here we will find the most intelligent

* The Supreme Court has since held the “Ripper” Act to be constitutional.

sympathy in our failures and the most cordial appreciation of our successes. It is this sentiment which has seemed to justify the writer in encroaching so far on the valuable time of this conference.

But are there no practical lessons to be learned—no morals to be pointed—in this recital of the vicissitudes of the cause of charter reform in Pittsburg, which the members of this League can lay to heart and apply with profit in similar conditions and circumstances elsewhere? If so, the demands of this paper upon your valuable time will be the better warranted. It is submitted that at least three lessons, and these vital and far-reaching, may be found in the narrative which you have just listened to with such patient and courteous attention:

First.—That the municipal reformer should be most careful not to enter into unholy political alliances with corrupt parties or factions whose objects are not primarily, or at all, the establishment of good government, but the defeat of political enemies and the acquisition of power, place and emolument.

Second.—That the reformer can never compromise a principle, or consent to evil that good may result. Not for him is the doctrine of expediency, or the Jesuitical formula, that the end justifies the means. His platform and his justification are absolute right and justice, and when he deliberately waives these, he can no longer claim the confidence of his fellow-citizens; and

Third.—That the views hitherto expressed by this League, as a result of its studies in charter-making, as to the necessity and propriety of the people of each municipality, so far as is possible, formulating their own systems of government, cannot be too much insisted upon or too strongly pressed. You have seen in the experiences of Pittsburg, and of many other cities, what state legislatures, swayed by partisan passion, or moved only by cross ignorance and indifference, have done in the way of charter legislation. Surely the citizens of each municipality, knowing their own needs, could far better construct for themselves the charters upon which so largely depend their comfort, their happiness, their safety, their rights and their liberties.

MUNICIPAL CHARTER LEGISLATION IN WISCONSIN.

CHARLES E. MONROE,

Secretary, Municipal Association, Milwaukee.

If a strict construction were to be put upon the subject assigned me, limiting it to charter legislation actually accomplished in Wisconsin at the legislative session now drawing to a close, what I should have to say would occupy very little of your time. But legislation is a process of many stages. It includes the introducing, referring, reporting and passing of bills; and there is sometimes another intermediate stage known as their killing. For a bill which has been killed at a session of the legislature does not always stay killed; and the principle which has given it life may survive even this rude shock and obtain acceptance in the end.

More than a thousand bills were introduced in the present legislature,—a larger number than has ever been offered before at any single session. They embrace a great variety of subjects. Some are admirable in purpose, some indifferent in character and others wholly bad; but, unfortunately, the enactment of any one of them into law is not always dependent upon its intrinsic merits. Many of the bills relate to municipal affairs, and while some of these are on the lines of old-time charter legislation, the interesting thing to which I wish to call your attention is the fact that some of them are in the direction of modern progress and, coming from scattered portions of the state, indicate a wide diffusion of better notions of municipal government. I do not intend to speak of any large number of these and it will not do to go into much detail in reference to any of them. Simply as a matter of interesting history, I will refer to a few of the more important.

We have in Wisconsin what is known as the League of Wisconsin Municipalities. The secretary of the League, Dr. S. E. Sparling, of the Wisconsin University, is known to many of the gentle-

men present at this meeting. More than sixty cities, through their mayors, are connected with this organization. Our cities generally operate under special charters, many of which are quite old. They date back to a time when it was easy to get the people out to vote, and almost all of them provide for annual elections of mayor and aldermen. The powers of mayors are very limited. These features are true almost universally, but there are two cities—La Crosse and Oshkosh—whose charters give their aldermen a four-year term of office. The city of Milwaukee is not included in what is now said. It stands in a class by itself and is not connected with the League of Municipalities. In other features the various city charters differ greatly among themselves. Feeling the disadvantages of these diversities in their organic laws and feeling also the weakness of many of their common features, an attempt was made to remove these disadvantages by means of a bill, providing for longer terms for municipal officers and adding to the powers of the mayors, which should be of uniform operation throughout the state. A tentative bill was introduced in both houses of the legislature, and when a discussion of its merits had shown its inapplicability to some of the municipalities affected by its provisions, a carefully drawn substitute was offered in its place. Curiously enough, it seems to me, there were in many quarters objections to the extension of the terms of aldermen and mayors from one year to two. Disagreements arose among the representatives of the different cities interested and among the members of the legislature as well, and this bill, although much debated, has not yet been reported from the committee on cities to which it was referred in the Assembly. One of the difficulties arose from the prevalent custom of annual elections for town supervisors, which practice, being of considerable antiquity—if such a thing as antiquity can be spoken of in reference to Wisconsin—operated to strengthen the preference for annual elections. Some time this bill, or something similar, will become a law.

Two bills were introduced in the Assembly by Mr. I. L. Lenroot of West Superior, which deserve mention. One of those proposed an amendment to that provision of the constitution of the state which limits the indebtedness of municipal corporations to 5 per cent of the value of the taxable property therein, so as to permit

the incurring of additional indebtedness for the purchase or construction of water or lighting works and such other public utilities as such corporations may be authorized by law to own and operate, to the amount of an additional 5 per cent. The bill was killed. Mr. Lenroot told me that he borrowed the idea from the National Municipal League's "Municipal Program."

Mr. Lenroot introduced another bill, general in its application, which was too novel and too good to succeed and consequently suffered the fate of the other. It provided that "No ordinance for granting a franchise to perform a public service or make use of public property or for the extension of any existing franchise shall be operative in any city in this state until after sixty days from the date of its passage, and if during such period of sixty days a number of qualified voters equal to 5 per cent of the total number of votes cast at the last preceding election in such city shall demand that the ordinance shall be submitted to a direct vote of all the voters, such ordinance shall not be valid or operative until it shall have been so submitted and approved by a majority of those voting upon it." Mr. Lenroot obtained the suggestion of this bill from something which was attempted at one time in the city of Philadelphia.

Mr. John W. Owen, of Racine, was the author of another bill in the Assembly, the material section of which is as follows: "Power is hereby given to the common councils of cities and to the trustees of incorporated villages to alter franchises heretofore or hereafter granted by such cities and villages to persons or corporations." The purpose was to put into the possession of municipalities a power of amendment of franchises which would enable them to overcome the plea of contract rights so generally urged by the donees of public grants. It was killed, of course.

A Milwaukee Senator introduced a bill empowering the governor of the state to remove any and all officers who may fail in their duty to enforce the police laws and regulations of the state in any town, city or village thereof when such enforcement comes within the duty of such officers.

A certain class of bills, which is generally received with favor in our legislature, has met the unusual fate at this session, after successfully running the gauntlet of both houses, of receiving the

governor's veto. These are bills through which the legislature attempts to interfere with local government by fixing or raising the compensation of local officers. A number of these were introduced at the present session, coming principally from the city and county of Milwaukee. The governor has put his veto upon the perfectly justifiable ground that matters like these, of purely local interest, should be decided by the local legislative authority.

A common provision of our municipal charters requires the publication of the terms of proposed grants of public franchises for a certain length of time in advance of action upon them by the common council, and where substantial amendments have been made in the original franchise, these also are required to be published in the same way. An effort has been made to do away with this requirement so far as it relates to the amended franchises, but the measure failed to pass.

A curious illustration of the lengths to which the legislature is sometimes asked to go in behalf of private interests is found in another bill. The constitution of Wisconsin was amended in 1892 so as to prohibit the legislature from enacting any special law for incorporating any city or amending any city charter. The bill in question refers to an ordinance passed by the common council of the city of Merrill, conferring certain rights and privileges upon certain individuals, their successors and assigns "for the purpose of constructing, operating and maintaining street railways" in said city, and goes on to say that said ordinance "is hereby declared to be valid and is hereby in all respects legalized and confirmed as an ordinance of said city, notwithstanding the said city, by its charter, may not have been authorized to grant the said franchise." I am not informed of the fate of this measure.

Another measure of much importance is a bill for a constitutional amendment permitting the consolidation of the city and county government in the city and county of Milwaukee. This measure was introduced by Senator Roehr. Its fate is still doubtful. If it passes the present legislature it must be submitted to the next legislature also, and then to the people at the next general election. The necessity for a constitutional amendment lies in the present constitutional requirement that county government must be uniform throughout the state.

Two other important bills will perhaps be of interest to the members of the National Municipal League. The first of these was introduced by Senator Julius E. Roehr of Milwaukee, at the request of Mr. George P. Miller, a gentleman in no way connected with the Municipal Association of Milwaukee. It is a copy of those sections of a comprehensive charter amendment bill applicable to the city of Milwaukee, introduced in the legislature of two years ago by the Milwaukee Association, which dealt particularly with the functions of the executive and legislative departments of the city government. The sections discriminating between the powers of the mayor and the common council were originally drawn by Mr. Miller. The bill as offered this winter adds to the powers of the mayor in the matter of appointment of certain city officers who are now elected, and to his general administrative powers, and limits the powers of the common council, more strictly than our present charter does to legislative action. The bill also permits the governor to remove the mayor for misconduct, inability, or failure properly to perform his duties. It was not expected that the bill would pass the legislature and no great effort was made in its behalf. It received a hearing, however, in the Senate committee on corporations, which recommended its indefinite postponement and it was defeated in the Senate. One reason for the opposition which the measure received, and yet not the most important one, was the fact that the present mayor belongs to a different political party from the majority of the legislature; but there is a very strong popular prejudice against any great extension of the power of the mayor, and, until this prejudice can be removed, the power and usefulness of this officer will continue to be limited as they are at present.

In considering what legislation it would be advisable for the Milwaukee Municipal Association to offer this year, it was thought best to make as sure of our ground as possible by calling into consultation a number of leading citizens of Milwaukee whose disinterestedness was beyond question, who enjoyed the respect of the entire community, but who were not actively connected with the association. As the result of such consultation, it was decided to offer a single bill, with a single subject, and of a character to secure very general approval and endorsement. The bill as

drawn provided for the election of one alderman from each ward and twelve from the city at large, with four-year terms for all, half going out of office at each biennial election. This bill was introduced in the Assembly by Mr. F. B. Keene, a member of the Municipal Association, and in the Senate by Mr. Julius E. Roehr, who is not a member of the association and has never been identified with it. The merits of the bill, however, awakened the latter's interest and he has given it his hearty support. Petitions urging the passage of the measure were circulated through the business streets of the city and received very general endorsement. Many of the signers wrote personal letters to senators, urging their support. The bill passed the Senate, where we expected to meet the greatest opposition. The Assembly committee on cities has given it attentive hearing, but refuses to support the principle of four-year terms for aldermen. To overcome this opposition, the bill has been re-drafted so as to retain the present term of two years; and we have been expecting favorable action by the committee and were hopeful of the final result. Just before leaving home, however, I learned of unexpected opposition from the Milwaukee assemblymen which it will be difficult to overcome.

As was said at the outset, the record of actual municipal charter legislation at the present session of the legislature, at least upon subjects connected with the work of the National Municipal League, does not require much space; but there is a satisfaction and encouragement in being able to report that the people are becoming awake to the evils of present conditions and to the need of improvement. With the growth of this sentiment we shall obtain the legislation which we need.

The following note is added by Mr. Monroe since the adjournment of the legislature:

The League of Wisconsin Municipalities secured the passage of an act extending the terms of elective officers, except aldermen, to two years.

Senator Roehr's constitutional amendment, for the consolidation of Milwaukee county and city, and the Municipal Association's bill, relating to the Milwaukee Common Council, were defeated.

THE RELATION OF BADEN CITIES TO THE STATE.

DR. JUR MAX HORSTMANN, HEIDELBERG.

If I endeavor to explain to you the relation of the city to the state in Germany, I shall do so, not for the purpose of instituting a comparison between the United States and Germany, but simply to give you a statement of facts—facts of law and organization that may be of some use to you in considering the serious problem of municipal home rule in the United States. Germany is conceded at least to be a well-governed country, applying the term “well governed” in any direction we choose; and in this concession I find encouragement in speaking to you on this subject.

Belonging as I do to the civil service of the State of Baden, I shall make the conditions of that state the main subject of my illustration, especially as it affords the characteristic facts which you would find as a rule repeating themselves in every other German state. Relation between city and state has exactly the same meaning in Germany as it has in your country; that is, the relation between the cities as municipalities, and the single state as the presumptive bearer of all governmental power. I trust that you are familiar with the fact that Germany as an empire is not a monarchy, in the real sense of that term, but a federation. It resembles the United States more than any other federation, in that all the powers of government, which are not expressly taken away from the single states, that is, the members of the federation, still belong to them. In the single state, with the exception of the free cities and the imperial annexation Elsass-Lothringen. All the power that the state might exercise is concentrated in the head of the princely family. In the State of Baden, the Grand Duke,

according to the terms of the constitution of 1818, combines in himself all the rights of state power, and exercises the same under the restriction of that constitution. In considering, therefore, the position of the municipalities in the state, we first have to look at the constitution and see whether we can find there any guaranty granted to the municipalities of the state. But the only section of the constitution applying to municipalities is Section 3, saying that the grand duchy is indivisible and untransferrable in all its parts. For the rest, we find the municipalities as such unprotected by the constitution. Only the civil rights of the people are constitutionally protected; but the rights of the municipalities are indirectly protected through those civil rights. With exceptions mentioned in the constitution, the civil rights of the people are declared to be equal.

Whenever the constitution prescribes that any law affecting the liberty or property of the people requires the consent of both legislative chambers, it follows that the relations of the citizens to their municipality are to be regulated by the legislature.

In the State of Baden we have a general law of the year 1835, the Municipal Code, or *Gemeindeordnung*, stating the rights of the municipalities. On the basis of this law in 1874 the City Code, the *Städteordnung* was framed, a law applying to certain of the larger cities of the state, mentioned in the very same law. The Code gives any city with more than 3,000 inhabitants the right of adopting this law, subject to the consent of the state government. Both laws (the *Gemeindeordnung* and the *Städteordnung*) have since undergone various changes; but one principle has been left unchanged from the start, the fundamental principle of both, namely, the principle of "home rule" for every municipality in the state. Section 6 of the *Gemeindeordnung* (repeated in the *Städteordnung*) reads as follows:

"Every municipality has a right to attend to all affairs regarding the community, and also to administer its property. In addition thereto, the power of the local police is conferred upon the municipality, unless some branches of this power have been vested in an especial State Board of Police."

It might be mentioned in this place that in all of the larger cities

the power of police is now exercised by the state. The code continues:

"The state reserves to itself the right of controlling municipal affairs in accordance with the regulations of the present laws, or of laws to be passed in the future."

Now, in order to understand how far the state control is extended, we first have to become acquainted, in a general way, with the organization of the city government. The administration of the city is entrusted to the City Council. The City Council is composed of the mayor, as president, and several councilmen, all elected by a larger representative body, the Board of Citizens, as we might translate the German *Bürgerausschuss*. The board itself is elected by the citizens, under the system of the so-called three-class election, in the following way: All citizens entitled to vote are divided into three classes, according to the amount of taxes they are paying. The first class comprises the first twelfth of all the citizens; the second class, the two next twelfths, and the third class, the last nine-twelfths of all the citizens. Each one of these three classes elects separately one-third of the members of the board. This board, as we have seen, elects the mayor and the other members of the City Council.

The mayor is the executive officer of the city government. It is for him to promulgate and to enforce the laws of the state and the ordinances of the city. He is the head of the local police in all cities in which no especial State Police Board is instituted. He alone has the right of calling a meeting of the Board of Citizens, a meeting called by anybody else being prohibited and punishable by fine. The mayor has also the right to fine the city employes not exceeding ten dollars for neglecting their duties.

The City Council is the administrative body of the city government. It has the presumptive right of conducting the affairs of the community, so far as it is not restricted by the requirement of the consent of the Board of Citizens. In particular it has the power of appointing the city officials and of fixing their salaries.

The consent of the Board of Citizens is required for action in some of the more important affairs of the community, as, for instance, to create new offices, to sell or mortgage real estate of the city exceeding the amount of a thousand dollars, and for

charities and donations exceeding the same amount, to fix the city budget, and to establish the sinking fund. In addition the Board of Citizens decides on bonded debts to be incurred, it is provided, however, by law, that no debt can be incurred at all unless all the regular revenues of the city are exhausted, and no other extraordinary revenues can be found to cover an inevitable, or at least, most useful, expenditure.

In some cases even the consent of the Board of Citizens is not sufficient, as the law requires the consent of the state. If, for instance, the city should want to charge some fee for the private use of public institutions erected by the city in the course of the performance of its duties, or if such official city undertaking, carried on for city purposes seems to be of especial benefit to private citizens and companies and the city wishes to make a charge for the same, corresponding to their benefits, the consent of the Board of Citizens, as well as of the state, would be required.

You see that the state has scarcely any part at all in administering the regular business of the city. City affairs are conducted almost exclusively by the city. The state has practically nothing but the supervisory control of city affairs.

Now, as far as the local police is carried on by cities, state control is continual and absolute. For the rest of the city affairs the state control is confined to the following three provisions, namely, first, that the city shall not exceed the limitation of its corporate powers; second, that the city shall perform the duties required of it by law; and third, that the regulations regarding the conduct of its affairs shall be observed. In order to maintain this control, the state authorities have the right to demand information as to the activity of city officers, and to examine into the conduct of the office and the accounts. If the city fails to perform the duties imposed upon it by law, or to include necessary expenditures in the budget, or to order such expenditures, as they become necessary through extraordinary contingencies, the state would require the city to pass ordinances necessary for the performance of such duties. Should the city during a certain limited time neither make any legal objections, nor perform its duties, the state authorities would arrange for their performance. The state authorities are authorized to levy the necessary taxes.

If finally the city should violate the rules under which its affairs are to be conducted, the city officials are required by the state to conform to such rules under a fine not exceeding ten dollars or non-compliance. In the smaller cities the state is entitled to examine the appropriations for the current year, and to audit their accounts. In the larger cities this is the business of the Board of Citizens, but they may submit this part of their business to the state.

The state provides for an appeal on the part of everybody interested, from decisions of the City Council or the mayor, to the state authorities. In certain cases the jurisdiction is conferred upon the administrative courts (*Verwaltungsgerichte*), a certain class of courts existing at the present time principally in Prussia and Baden, having exclusive jurisdiction of the relations of private citizens to the government. The civil courts do not exercise jurisdiction in city affairs unless the city appears as a party in a suit relating to its private property or claims.

These brief illustrations will show you what part the city plays in the machinery of the state organization. The idea is to have the city enjoy all the freedom it may need for healthy development and for the benefit of its citizens. As the state is monarchical the power which is exercised by the city government is not derived from the city itself—that is to say from the citizens—but from the monarchical government. This government must have the right of controlling municipal affairs in order to secure the harmonious co-operation of city and state. I think it may be said that in all the German states this co-operation is a very satisfactory one. Illegal interference by the state in city affairs is seldom heard or complained of. The home rule of the city is thus practically guaranteed in a very large measure.

In conclusion, I wish to call your attention to the fact that there are frequent interchanges of position between city and state; an exchange that naturally strengthens the relation between city and state government. This statement applies first, not so much to the so-called subordinate officers, as to the highest city and state officials. Every official of the highest civil service of the state, (be he a judge or an administrative officer), after a regular course in civil and public law, and certain branches of political economy,

followed by several years of unpaid probationary service, is required to pass two competitive state examinations—in addition to the examinations requisite for admission to the bar. So too the mayors of the larger cities are trained in practically the same manner, since it has become customary for mayors of German cities, in many cases, to acquire their early experience in municipal government in the civil service of the state.

In having given you this short survey, I repeat again that I have based it largely on my knowledge of city affairs of the particular state to which I belong, namely the Grand Duchy of Baden. I am satisfied, however, that the principles underlying the administration in Baden are the same as those upon which the city administration in most German states is based.

THE STREET RAILWAY SITUATION IN CHICAGO.

WILLIAM RITCHIE, CHICAGO.

Your secretary has requested that I discuss the street railway situation in Chicago, in a paper "not to exceed fifteen minutes in length." This condition forbids any attempt at academic discussion of the causes of existing evils or of remedies proposed therefor. I shall content myself with a meagre statement of the more noteworthy of existing conditions. Any adequate portrayal of the street railway situation at Chicago would require, even at competent hands, many times fifteen minutes.

It is no mere abstract question of politics or economics that is now trying the temper and taxing the wisdom of the people of Chicago. With a trifling exception, all the street railway surface lines of the city within a radius of four or five miles of the City Hall are operated by the Chicago Union Traction Company or the Chicago City Railway Company.¹ On July 30, 1903, and at short intervals thereafter, the franchises for many of the most important lines of each company will expire. In Chicago, as in

¹ The Chicago Union Traction Company was organized in 1899 by the Whitney-Widener-Elkins syndicate, who, after acquiring the Yerkes interests in the North Side and West Side systems, leased these properties to the new corporation which subsequently also acquired control of the lines of the Consolidated Traction Company. The last named comprised all the suburban feeder lines in the North and West divisions of the city. The South division of the city is served by the Chicago City Railway. The mileage (single track) of these lines is as follows:

	Horse.	Cable.	Electric.	Total.
West Chicago Street Railroad.....	6.60	30.42	165.68	202.70
North Chicago Street Railroad.....	.94	18.12	75.27	94.33
Consolidated Traction Company.....	205 71	205 71
<hr/>				
Total controlled by Union Traction Company	7.54	48.54	446.66	502.74
Chicago City Railway.....	1.87	34.75	173.20	209.82
<hr/>				
Grand total	9.41	83.29	619.86	712.56

other American cities, the popular indifference and ignorance on the subject of these public utilities are passing away, and with them has disappeared any expectation that the old free-handed treatment evidenced in the "liberal" terms of the original grants will furnish any precedent to fix the terms for any renewal of these privileges. At city, and even state, elections for several years past, the street railway question has been recognized as the "paramount issue," and upon that issue Mr. Harrison has been three times chosen mayor of Chicago. Two special committees of the City Council, the Harlan Committee of 1897-98 and the Street Railway Commission of 1899-1901, have gathered and preserved information, and the latter has formulated the outline of a policy upon the subject.² The notorious Allen Law, whereby, in 1897, the maximum period of street railway franchises was changed

² *Report of the Street Railway Commission to the City Council of the City of Chicago, December, 1900.* 8vo. 136 pages. Paper.—This commission is a special committee of aldermen appointed by the mayor December 18, 1899, to examine into the practicability of municipal ownership of the street railways of Chicago, and (in case of a renewal of the franchises of existing companies) the proper terms of such renewal. The commission were fortunate in securing as secretary Mr. George C. Sikes, long a special student of the subject, to whose intelligent labors is due, in great measure, the admirable result.

The Commission, in December, 1900, made its final report, which was approved by the City Council. This report is the first serious attempt by the city to formulate any extended policy for the treatment of the street railway problem. Its most important recommendations may be summed up as follows:

Local control by each municipality of all details as to terms of each grant and subsequent regulation.

Short term grants (preferably a twenty-year maximum). This as a concession to public opinion and the prevailing practice in Illinois, though the Commission deems the Massachusetts practice of revocable grants good "during good behavior" as theoretically sound.

Practical recognition of the street railway business as a natural monopoly, best regulated not by competition but by full and continuous public control, to be actively administered by some official body adequately equipped.

The power to own and operate street railways should be vested in the city, not because municipal ownership is either practicable or desirable under present conditions, but because "the having such power in reserve, to be used in case of need, would put the city in a much more advantageous position in its dealings with private corporations."

Popular referendum upon all grants of franchises for five years or longer duration.

Publicity in all the affairs of the companies necessary to enable the people or their representatives to deal intelligently with the question of grants or renewals or proper control, this to be secured by annual reports by the companies to certain public officials of various prescribed details, the compa-

from twenty to fifty years, aroused such universal discussion as to excite the interest of the country districts of the state in behalf of Chicago (no easy task), so that the obnoxious measure was repealed in 1899, and the former limitation of twenty years was restored.

How are the parties to this question of franchise renewals preparing to meet the crisis involved in the expiration of the existing grants?

There is every evidence that the companies are confident of a renewal of their privileges.³ By the so-called Ninety-nine-Year Act, the legislature, in 1865, undertook to extend to 1958, not only their corporate life, but also their then existing rights to

nies' books to be accessible to said official at all times under reasonable restrictions.

The public, through proper officials, should control all stock and bond issues, as in Massachusetts, so as to prevent "watering." As to compensation, the Commission intimates its preference for improved service and reduced fares as the best form of compensation to the public in lieu of any direct money contribution to the public treasury. It also prefers a uniform fare (in the sense of one fare for a single ride in the same general direction anywhere within the same city) to the "zone" system. It insists that the system prevailing at Chicago is, in fact, a "zone" system, but resting upon no reasonable basis, and requiring, if it is to be retained at all, a rearrangement as to boundaries, distances, etc. One beginning a trip northward on the South Side line may ride for a quarter of a mile only and will pay five cents. Resuming his journey in the same direction on a North Side car, at a point scarcely one hundred feet from the down-town terminus of the South Side line, he may ride four or five miles more for another nickel. To leave the line of one company for a trip on that of another costs an extra nickel, regardless of locality or distance. There are no transfers between different systems.

The report is accompanied with the draft of a proposed bill to arm the city with powers necessary to carry these recommendations into effect. This bill was submitted to the legislature during the past month, but failed to pass.

³ The investment of millions of dollars in the North and West Side systems by the Whitney-Elkins-Widener Syndicate, almost on the eve of the expiration of the franchise, is deemed persuasive proof of an intent to retain the properties. Within a year after assuming control, the Chicago Union Traction Company expended nearly \$1,000,000 on construction account, and has lately procured a site for very extensive barns. The Chicago City Railway Company has lately made similar outlays for car barns, and also for an immense power plant of capacity to operate by electricity its entire system, including cable lines. Within two months it has also procured from the City Council franchises for about six miles of new track which it proposes to lay this summer. During 1900 it increased its mileage about four and a half miles. The same company during the present year has ordered an issue of \$4,500,000 of new stock, and with the proceeds will clear off its entire outstanding bond issues.

occupy the streets as granted by prior ordinances.⁴ But there are a number of most important grants made since 1865, which would not be affected by that act,⁵ but which are practically essential to the successful operation of the entire system. In December, 1898, while the Allen Law was still in force, all the city lines united in applying to the city for a renewal for fifty years of all

⁴ The wording of this act is peculiar. It purports to amend the acts of February 14, 1869, and February 21, 1861 (whereby the three original companies, the Chicago City Railway, the North Chicago City Railway and the Chicago West Division Railway, were incorporated, each for twenty-five years only), by extending the corporate life from twenty-five to ninety-nine years and adding the following:

"All contracts, stipulations, licenses and undertakings made or given, and as made or amended, by and between the said Common Council and any one or more of said corporations, respecting the location or use of railways in or upon the streets of said city, shall be deemed and held and continued in force during the life hereof, as valid and effectual to all intents and purposes as if made a part, and the same are hereby made a part, of said several acts."

In all the "licenses . . . given by said Common Council" prior to 1865 upon down-town streets, the period of duration is fixed at "twenty-five years and no longer." These "licenses" are to be continued in force "as made by the City Council." The original charters authorized the companies to build and operate, but only "on such streets and in such manner and upon such terms as the Common Council has prescribed or may prescribe"—a clear recognition of the policy of local control, a policy since enforced by a constitutional provision adopted in 1870, to the effect that "no act shall be passed by the General Assembly granting the right to construct and operate a street railroad within any city . . . without requiring the consent of the local authorities."

In view of the rule that every public grant must be construed strictly against the grantee and in favor of the public, is this statute of 1865 sufficiently clear as to the extension of the municipal grants previously made? The city ordinances, without change of any kind, are expressly declared to constitute a part of the act itself. If so, the twenty-five-year limitation, so far as these "licenses" are concerned, is also a part of the act. The whole contention of the companies on this head must rest upon the words "continued in force during the life hereof." What is the "life" of an act of legislature?

In 1883 the original term for which the franchises were first granted approaching expiration, controversy arose as to the effect of the act of 1865, and as to the city's power to purchase under the original ordinances, which, without express charter powers in the city for that purpose, purported to reserve to the city an option to purchase at the end of twenty-five years. By way of compromise an ordinance was passed July 30, 1883, extending for twenty years from that date all prior grants, but expressly providing that neither the city nor the companies should be construed as thereby waiving any pre-existing rights. This, of course, merely postponed the dispute as to the act of 1865 until July 30, 1903. The ordinance of 1883 also imposed an annual license fee of \$50 per car upon each company.

⁵ In 1874 the so-called "Horse and Dummy Act" was passed, prohibiting a municipality from making any street railway grant for a longer period than twenty years. Many of the most important franchises in Chicago have been granted since 1874, and are, therefore, subject to this twenty-year limitation.

their then existing grants—a practical concession by the companies of their need of such measure of relief. That application failing, they have never since renewed their effort nor approached the city with any definite proposal of terms.⁶ On the other hand, Mayor Harrison has declared his determination neither to solicit nor to proffer any such proposal. It is, in his view, the business of those who seek privileges to ask for them, and the stress and embarrassment incident to delays and doubts should and will fall upon the companies rather than the city; nor should the advantages of this position be waived or surrendered by the city.

The street car companies of Chicago have always been “in politics.” The Act of 1865 was forced through the state legislature by them in the face of a vigorous protest from the citizens of Chicago, and over the veto of a popular war governor. In 1897, by procuring the enactment of the Allen Law, under the able leadership of Charles T. Yerkes, they achieved an equally notable triumph over the popular will and against the united opposition of the city press. They have long had their regular retainers in the City Council year after year. During the past six years the unrelenting vigilance of the reputable press of the city, and persistent effort by reform agencies, the Civic Federation and the Municipal Voters’ League, have resulted in a very perceptible improvement, and the “gray wolves” in the City Council, it is believed, are now in a hopeless minority.

In 1897 Mr. Yerkes bought one of the city dailies, which has since been conducted as a street railway “organ.” The late governor of the state and the present leader of the Cook County Republican “machine” are commonly believed to be part owners

⁶ The “compensation” then offered by the companies was an annual payment of a percentage of gross receipts, graded according to the earnings per mile of track of each company, viz., when receipts were between \$7,500 and \$10,000 per mile for the year, one-half of one per cent; between \$10,000 and \$12,500, one per cent; between \$12,500 and \$15,000, one and one-half per cent; between \$15,000 and \$20,000, two per cent; over \$20,000, three per cent. For the year 1898 this rate would have produced from all three systems a total of \$302,560. Within the past three months the president of the Chicago City Railway Company, addressing himself to a gathering of city officials, declared that for a thirty-five-year renewal, together with certain overhead trolley privileges in the down-town district, his company would pay a twenty-five per cent compensation. For the year 1900 this would have produced to the city \$1,385,795. The company’s estimate of the franchise value evidently rises as the time for the expiration of the existing grant draws near.

of the *Inter-Ocean*, which, ever since Mr. Yerkes' advent into the field of journalism, has yielded to those gentlemen its unwavering support, and has honored Mayor Harrison with its unvarying disapproval. The Street Railway Commission submitted to the legislature at its late session a bill intended to arm the city with additional powers to enable it to deal more advantageously with the present crisis in the street railway situation. The measure failed and public opinion unhesitatingly attributes this result to the influence of the traction companies.

It is, of course, hoped that the present situation is favorable to enforce recognition by the companies of many just claims on the part of the public hitherto in large measure ignored by them. In his annual message last month, Mayor Harrison sums up these demands as follows:

Compensation to the city. Whether this shall consist of a direct money contribution to the public treasury, or shall take the form of a reduction of fares, possibly both, can be best determined when the terms of any proposed renewal ordinance are under actual consideration.

A reduction of fares during the rush hours.

A betterment of accommodations.

Express waiver of all claims under the Act of 1865. As a "discussion bludgeon," the companies at times insist that many of their most important franchises have been extended by the Act of 1865 until 1958, beyond the power of the city to control.

A provision for municipal acquirement of the properties at the expiration of the grant.

Use of the grooved rail (in lieu of the present girder rail) in all streets where property owners have laid permanent pavements.

The substitution of the underground trolley for the cable and overhead trolley, at least in the districts bounded by Twenty-second street, Western avenue and North avenue; that is to say, in a central district of the city about three miles square.

As a matter of policy, the mayor also insists that any franchise grant should be submitted to popular vote before going into effect, at least if such referendum is demanded by a certain percentage of the electors. He does not make it clear whether by this last

declaration he means to withhold his approval of any renewal grant until so submitted to popular vote. Presumably this is not his meaning, since the legislature has made no provision for holding an election for such purpose, unless it be by an act just passed for taking the sense of the people upon any public question. The mayor accompanies this statement of "points" with the significant comment that "the terms offered by this or the succeeding council must of stern necessity be accepted by the street railroad companies," and the further hint that, whatever color of right the act of 1865 may give to the present occupancy of the streets, "there is nothing in the act to prevent the city from granting franchises to competing companies to duplicate every mile of rail now laid in the city." He further intimates that, if the companies seek to embarrass the city with litigation, the city "could pass a new car license ordinance, and by this means secure at least compensation for the use of the highways."

Excepting the usual provisions as to paving and repairing their rights of way, and occasional stipulations as to lighting portions of their track,⁷ the city, until the past two years, has exacted substantially no compensation for street railway grants, except in the form of car licenses—an annual fee of \$50 per car.⁸ If we

⁷ These expenses have ordinarily been charged to construction account, and have gone to form the basis of new capitalization upon which the public pays interest and dividend. As well credit to the account of "compensation" the expense of a new car equipment.

⁸ By the compromise ordinance of 1883 a novel method was adopted for estimating the number of cars upon which this payment was to be made. On the assumption that each car would make thirteen round trips daily, it was provided that the whole number of round trips run by all cars during the year should be divided by 865 to give the daily average of round trips. This daily average was again divided by thirteen and the quotient stood for the number of cars on which license fee was to be paid. The results are little short of extraordinary. In 1897, for instance, the Chicago City Railway paid, as car license fees, \$21,525, which, at the rate prescribed, would indicate less than 481 cars. In fact the company then owned 1,812 cars, which should have produced \$90,600 license fees. The North Chicago Company in 1897 paid \$15,358 on this account, as for 808 cars. It then owned 915 cars, and should have paid \$45,750. The West Chicago Company paid \$18,726, as for 375 cars, though then owning 1,789 passenger cars, upon which it should have paid \$89,450. An admirable illustration of the difficulty of undertaking to fix, even for so short a time as twenty years in advance, terms of a franchise which shall be just. In 1897 these companies did not pay quite twenty-five per cent of the amount of "compensation" which in 1883 it was contemplated they would have to pay under the terms then settled.

use a method of valuation accepted by the Supreme Courts of the United States, of Massachusetts and of Illinois, for estimating the value of these franchises, the value of the franchises of the three principal surface lines, on December 1, 1897, was \$28,354,145.⁹ Upon the basis of the cost, on the same date, of duplicating the plant and equipment, the Harlan Committee estimated the minimum value of the franchises of the same companies at \$62,754,210. For the ten years ending December 31, 1897, the car license fees paid by those companies averaged \$48,165 per annum. This would make a return of one-sixth of one per cent upon the first valuation, and one-thirteenth of one per cent on the estimate of the Harlan Committee.

Since 1858, when the first franchise was granted, the only rate of fare ever in use in Chicago (with trifling exception) has been the five-cent cash fare, without reduction by way of commutation or otherwise.¹⁰ The gross earnings of these companies have increased much more rapidly than the population of the city or its suburbs, and their net earnings have advanced more rapidly than

⁹ I have used the estimates of the Harlan report (Table 4 c, page 309) for the market values of stocks and bonds, deducting from the aggregate of these values the par values of the same securities as given by the same authority (Table 3 c, page 306). The difference represents the value of the franchise. *Porter vs. R. R. Co.* 76 Ill. 561; *State Railroad Taxes*, 92 U. S. Rep., 575; *Commonwealth vs. Hamilton Co.*, 12 Allen, 298.

The figures, I believe, are too low. For in the Harlan report's estimate of the market values of bonds it seems to be assumed that all of the latter were worth par only, whereas the greater portion were considerably above par, and always have been. The Harlan figures for stock values are also much below the prices given in *Ohio Securities*, a commonly accepted authority.

¹⁰ It is interesting to compare passenger rates on steam roads at Chicago. There has been a steady decline, which is quite marked within a period less than twenty years past, whereas the street-car fare has remained at its original figure for forty years. During that period there has been as marked an improvement in the accommodation on steam roads as on street railways. It is as true of the latter as of the former that a dollar buys much more to-day than it did twenty years ago in the way of improved speed and accommodation. Here is a table showing this decline in the seventeen years ending with 1898 on a typical steam road of the Middle West, the Cincinnati, Hamilton & Dayton Railroad:

		1881.	1898.	Decrease.
From Cincinnati to	Chicago.....	\$9 00	\$8 00	\$1 00
"	" Milwaukee	11 75	10 55	1 20
"	" Minneapolis	23 95	19 50	4 45
"	" San Francisco	122 75	66 50	56 25
"	" Kansas City	18 50	16 50	2 00
"	" Denver	45 50	33 50	12 00

the gross.¹¹ During the ten years ending with 1897, a period of almost unexampled depression, except during the World's Fair year, in every other industry at Chicago, these net earnings steadily advanced, despite the increasing competition from the elevated roads, and amounted during the decade to \$44,258,388. According to the Harlan report, the cost of duplicating the entire system in 1897-1898 would not have exceeded \$28,858,234.

The service afforded by these companies is inferior to that now prevailing, it is safe to say, in any other American city of 200,000 population or over. Except a few lately introduced, the street cars of Chicago are of antiquated type. The "trailers" and the standard type of electric car, galloping along on a single four-wheeled truck, are of a light construction which causes every inequality in the track surface to be faithfully registered upon the nerves and muscles of the passengers. Adhering to a practice, long abandoned elsewhere, the Chicago companies operate their

On the Chicago, Rock Island & Pacific Railroad:

	1880.	1898.	Decrease.
From Chicago to Joliet, Ill.	\$1 40	\$1 06	\$0 34
" " Ottawa, Ill.	2 90	2 36	54
" " Peoria, Ill.	5 25	4 25	1 00
" " Rock Island, Ill.	5 85	4 97	88
" " Des Moines, Ia.	11 20	10 15	1 05
" " Council Bluffs, Ia.	15 50	12 50	3 00
" " Kansas City, Mo.	15 25	12 50	2 75
" " Denver	42 25	29 50	12 75
" " San Francisco	116 00	62 50	53 50

To every argument for reduction of fares the stock reply of the companies is that a longer ride is now given for the same fare. Why do the companies to every public demand for a reduction in fares make answer by extending their lines and offering a longer haul for the same price instead of giving to the public the relief which is asked in the form in which it is desired? Plainly because it is more profitable to maintain the old rate; because short distance riding in every settled community is constantly on the increase.

¹¹ The explanation is obvious. The introduction of electricity on the street railways of Chicago occurred about 1894-1898. During this period copper fell from 20c. to less than 11c. a pound. Thousands of tons of this material are in use on the Chicago railways to-day. Steel rails fell from \$31.75 per ton in 1890, to \$17.50 in March, 1898. Electric car equipment decreased more than 250 per cent, car bodies from 25 to 35 per cent, power station equipment from 100 to 300 per cent; electric motors, formerly costing \$2,500 apiece, cost \$800 apiece when Mr. Yerkes substituted electricity for animal power in Chicago. The increased speed of the electric car attracted more patronage, and at the same time enabled it to make more trips at less operating expense and carry more passengers per day at the same cost of trainmen's wages than was possible

cars in the down-town district in trains.¹² When horse-cars were used on the outlying cross-town and feeder lines, the excuse for this was that horses could not be admitted to the cable line,

with the horse car. The operation of power plants in large units economized in real estate, in labor, in supplies and otherwise, and in rate of efficiency. The horse car operated at 20c. per mile the electric car at less than 11c. But in addition to all this saving in expense, the increase in transportation facilities increased the rides per capita. In 1890 the street cars of Chicago and suburbs carried less than 181,000,000 passengers, with a population of 1,099,850. In 1900, including the elevated lines, they carried over 862,000,000, with a population of 1,698,575. That is to say, while the population was advancing at a rate of less than 55 per cent the street car traffic increased over 100 per cent. In 1890 the street cars carried the entire population 164 times. In 1900 the rides per capita advanced to 208. Each man, woman and child in the city, on the average, paid for car fares in 1890 the sum of \$8.20. In 1900 this per capita tax had risen to \$10.40, no inconsiderable amount for the average family of four or five persons. In 1894 the North Side system was operating only 86 miles of track, and its expense item known as "transportation" (composed chiefly of trainmen's wages) amounted to \$1,036,170. In 1897 the company had increased its mileage to 107, carried over 6,500,000 more passengers than in 1894, ran 1,420,000 more car miles, and yet its "transportation" expenses decreased to \$913,136. In 1892 Chicago City Railway, with only 150 miles of track, paid \$782,542 for motive power. In 1897 with 180 miles of track it carried 7,600,000 more passengers, operated 3,500,000 more car miles, and yet paid only \$283,387 for motive power. In 1894 the West Chicago system with only 187 miles of track paid \$756,769 for motive power. In 1897, with 203 miles of track, it paid only \$367,112 for motive power. In 1890 on the North Side system operating expenses consumed 55.09 per cent of gross receipts, in 1897 only 46.83. In 1890 on the West Side system it cost 60.1 per cent of gross receipts to operate the road, in 1897 only 49.47 per cent.

These are the facts—evidencing the "unearned increment"—which to the owners of those properties have been sufficient reason for a vast increase in capitalization. In 1899 the capitalization of the North and West Side systems averaged \$130,400 per mile of single track, over 70 per cent whereof was of the relatively inexpensive overhead trolley construction. The Chicago Union Traction Company, taking over the properties that year, without the addition of a mile of track, increased this capitalization to \$252,912 per mile of single track, on all of which the public is in due course expected to pay dividends and interest.

¹² One motive for this practice is disclosed in the statement of G. W. Knox, the electrical engineer of the South Side Company. He says:

"The low showing for the transportation cost made on the cable [4.5 cents per car mile as compared with 5.7 cents on the electric lines] results from the use of trail cars. This, of course, enables the running of more cars, consequently more car miles, with a great reduction over singly operated cars in trainmen's wages. It takes two men to operate one electric car, while with one additional man a train of three cars can be run on a cable road, the single-header man taking care of the grip car along with his own."

In the same year (1898), while the Chicago City Railway was running its cable trains at 4.5 cents per car mile for wages, the Metropolitan Company, of New York, running its cable cars singly, and operating but a few car miles less during the year than the Chicago company, had to pay over 7.75 cents per car mile for the same purpose.

because they would greatly interfere with the speed of the cable cars, and to save changing cars each cable car on its way down town would collect several horse cars at intersecting points, and thus trains would be formed. Now that the heavier electric car is substituted for the horse car on these feeder lines, there is far greater strain upon the cable, and constant breakdowns and delays result. The incessant spasmodic jerking of cars hauled in trains is very trying, especially where, as in Chicago, most of these cars have longitudinal side seats instead of cross seats, so that the passenger lacks the support of a seat back.

The business and shopping centre of Chicago is confined to a narrow district covering scarcely two square miles. Here are clustered the fifteen- and twenty-story "sky-scrapers," each with a colony of tenants sufficient to furnish forth a village of respectable proportions, and each receiving and discharging its whole army of occupants twice a day, between 7 and 9 a. m. and 5 and 7.00 p. m. In these four hours the surface lines of Chicago carry about 350,000 passengers to and from this contracted area. In providing for this demand upon their carrying capacity, the companies seem never to have lost sight of Mr. Yerkes' significant reminder that "those who hang to the straps pay the dividends." In Chicago the existence of three separate corporations, each operating in a different division of the city, has furnished excuse for refusing all transfers from one system to the other, and for avoiding the adoption of any co-operative system of through routes, whereby cars could be continued on their journey from the northern through the central to the southern or western portions of the city. Instead of this obvious arrangement for facilitating traffic, each of the three systems treats the business centre of the city as the proper location for a terminal, and there every down-town car reverses its journey by means of a loop or switch. On Clark street, for instance, a main thoroughfare, cars from the North Side and from the South Side, coming from their respective outer termini, approach to within one hundred feet of each other nearly in front of the City Hall. There each car is halted and switched, and returns upon its own line, occasioning all the delays and obstructions incident to such a process in a crowded street. Often 120 cars in an hour are switched on each of these lines at this

point, three, four and five other cars waiting their turn in line, and blocking the street until the switch is clear. The down-town cable routes of the North and West Side systems cross each other at four different points, the North Side cable passing over the other at the intersections. The West Side car, dropping its cable about one hundred feet before it reaches the crossing, crosses by the momentum of a flying start. It is unsafe to attempt this when any North Side car is within 100 feet of the crossing, because the latter maintains its hold upon its own cable, and this so raises the latter as to make it difficult to avoid catching in the grip of any West Side car that may be crossing. Thus there are always 300 or 400 feet of track at these cable crossings which cannot safely be occupied by more than one train at a time. It is not surprising, therefore, to learn that, although in Broadway the cars, running singly, pass at intervals of less than thirty seconds, in Chicago the average headway for cable trains in the down-town district, even during the rush hours, is not under two minutes. As this is written, the Union Traction Company announces its purpose hereafter to limit its rush hour trains to a "grip" and two "trailers," and diminish the train intervals to one minute and a half. An ordinance was not long since introduced to forbid trains, and compel use of single cars only, but the measure has not been pressed to passage.

This system, or lack of system, results in excessive overcrowding during rush hours. The inconvenience suffered by the public is availed of by the companies to create pressure upon the city administration in favor of their demand for overhead trolley licenses in the down-town district. This substitution, they insist, will cure these evils. The experience of New York, Washington and other cities has convinced the public of Chicago that such method is practicable here, and the mayor's refusal to sanction the overhead trolley is universally approved. The Chicago City Railway is evidently preparing for a change to the underground trolley. It has recently procured an expensive site for an enormous power station, of capacity sufficient to operate by electricity its entire system, including the cable lines. The continued maintenance of two different systems of motive power is productive of constant losses.

Another matter in which public sentiment demands action at the hands of the traction companies is the reconstruction of the three tunnels, which, passing under the river, connect the South Side with the North and West Sides. One of these tunnels is on land owned by the companies and built at their expense, and all three are in practically exclusive use by them. The increasing draught of lake vessels makes necessary a deepening of the channel, and these tunnels now stand an obstruction to navigation. In 1899 an ordinance was passed commanding the companies to lower them, and suit was brought to enforce compliance, but the lower court has just decided adversely to the city's contention. The companies offer to bear this expense provided it is credited to them on account of any compensation that may be exacted for renewal of franchises. The mayor declines to consider the two questions as in any wise dependent upon each other, insisting that the city is no more bound to share this burden than it would be to pay the wages of flagmen employed to guard railroad crossings in compliance with city ordinances.

These are some of the problems with which the city is about to grapple in its effort to adjust its relations with the street car companies.

One serious part of the problem is to determine to what extent the city is legally equipped to deal efficiently with these various questions.

So far as concerns municipal ownership, the city has no express authority under its charter to purchase or operate street railways, and it is feared that such is not among its implied powers. The bill proposed by the Street Railway Commission provided for such authority, and it is generally supposed that this feature of the bill was the one most objectionable to the traction companies and aroused their interest to secure its defeat. No objection can be perceived, however, to including in any franchise renewal a stipulation reserving to the city such power to purchase. The legislature may hereafter see fit to ratify such a stipulation and confer the necessary power therefor. The power of the city to prescribe rates of fare, to regulate the running-time of trains, to compel the use of any special motive power or character of car or rail, etc. (except, of course, by means of stipulations included in the ordi-

nance granting the franchise), is now disputed by the companies, and is generally supposed to rest upon no more secure legal basis than the general grant of police powers contained in the city charter, although there have been decisions by the lower courts recognizing the right of imposing a license fee, and even, under conditions, of regulating the fare.¹³ The city is not, nor is any public official, armed with power to compel a disclosure of the affairs of a street railway company, or to gain access to its books. To a request for information from the Harlan Committee in 1898, the companies returned a blank refusal. Sufficient, however, is known to form a reasonable basis for deductions and estimates as to earnings, assets, cost of construction, profits, stock issues, etc., and the attitude of the companies upon this matter will throw upon them the onus of establishing beyond reasonable doubt the invalidity of any conclusions fairly based on such information as is accessible.

From these doubts as to the city's powers of continuing control under its general charter, it is plain that the task of framing a renewal ordinance, which shall be adequate to supply such defect of power, and fully and wisely protect the rights of the people for the future as well as the present, is all the more difficult and important. It is probable that the traction companies have delib-

¹³ In *Allerton v. Chicago*, 6 Fed. Rep., 555, decided in 1889, Judge Drummond, of the United States Circuit Court, sustained an ordinance imposing an annual \$50 car license fee upon the street railways of Chicago. But the pleadings in that case did not disclose facts sufficient to justify the court in finding that the so-called license fee was, in fact, an attempt to tax for revenue. The court, presuming in favor of the validity of the ordinance, sustained it as a valid exercise of the police power, under a provision in the charter of the city whereby it was authorized to "license hackmen, omnibus drivers, cabmen, and all others pursuing like occupations, and to prescribe their compensation."

In *Dean v. Chicago General Railway*, 64 Ill. App., 165, decided by the Appellate Court (an intermediate jurisdiction) in April, 1896, a general ordinance providing that street car fares "shall not exceed" five cents was upheld in favor of a passenger of whom the company, following its own rules establishing such a tariff, had exacted six cents. But in this case also the pleadings were deemed unsatisfactory. There was no issue of fact, but only a demurrer, which in law accepted as true the statements made in plaintiff's pleading. One of the judges expresses his suspicion that "this court is being played upon for some ulterior purpose," and he "warns whoever may be concerned that no principle or doctrine must be taken as established by the decision of this case." As the ordinance under which the company in that case was operated expressly limited the fare to five cents, and as the plaintiff in that case omitted to bring that significant fact to the court's notice in his pleadings or otherwise, there would seem to have been grounds for the court's suspicions.

erately delayed their application to the city for a renewal ordinance until the session of the legislature was over in order that they could be certain of the legal conditions under which they would have to conduct their negotiations.

This is a very imperfect presentation of facts relative to the street railway situation in Chicago, but it is all that the limited time at my disposal makes possible. It might be of interest, but I do not see that it would be profitable, to speculate now on the outcome of this controversy at Chicago. To every thoughtful man, however, it must seem that the results will inevitably reach much farther and touch deeper issues than any mere question of the comfort or convenience, present or future, of those who use the street cars of Chicago, or the selfish interests of property owners or others whose purposes would be promoted or defeated by the adoption or rejection of this or that policy. Still less are the consequences to be measured by any question of profit or loss to the corporations themselves. The precedent set by the final adjustment of the controversy is likely to affect for the indefinite future social and political problems of profound import, and proportionately to promote or retard their proper settlement. No good citizen can regard with unconcern the effort now being made in Chicago to fix upon a lasting basis of reason and justice the relations between the municipality and its public-service corporations, and to adjust aright this question of public interests and corporate obligations.

THE WORK AND AIMS OF THE AMERICAN SOCIETY OF MUNICIPAL IMPROVEMENTS.

N. P. LEWIS,

Engineer, Streets and Highways, Brooklyn, N. Y.

About seven years ago, or during the summer of 1894, Mr. M. J. Murphy, who was then Street Commissioner of St. Louis, began a correspondence with the officers of a number of our principal cities concerning the advisability of organizing an association for the consideration of the practical problems arising in the physical improvements of our cities. This suggestion came at a time when great popular interest was being shown in everything pertaining to municipal affairs. Such interest had been aroused by the publication of statistics showing the remarkable growth and the high municipal development of the cities of the Old World as well as of the New. This feeling had been especially stimulated by the recent publication of Dr. Albert Shaw's admirable books on municipal government in Great Britain and Continental Europe—the first books, probably, which were not principally devoted to academic discussions of municipal problems, but which presented a vivid and almost a startling picture of the intelligence and skill shown in the modernizing of the old and the development of the new cities of Europe.

The replies to Mr. Murphy's letters showed so plainly the popular interest in such subjects that it was resolved to invite those wishing to form an association along the lines suggested to meet in Buffalo, N. Y., on September 19. As a result of these invitations, about sixty representatives of seventeen different cities came together on that date, the municipal bodies represented being scattered from Portland, Me., to Omaha, Neb., and from Milwaukee, Wis., to St. Louis, Mo. The first meeting was necessarily one for

organization only, and to discuss the general plan and scope of the association.

The name decided upon was the American Society of Municipal Improvements, officers were elected for one year, a skeleton constitution was adopted and Cincinnati was selected as the place for holding the next meeting, or what was to be the first regular convention, in September, 1895. Among those gathered at Buffalo were several mayors and some members of municipal legislative bodies, but the great majority of them were administrative officers, heads of bureaus and municipal engineers. The name selected was indicative of such a membership, and of the fact that the objects of the society were to be exceedingly practical, that is, it did not purpose to devote its time so much to problems of city government as to the actual physical improvement of our cities, and the carrying out of such improvements in the most skillful, thorough and economical manner. That there was a field for such work was very evident. An attempt to obtain information as to the practice in different cities by reading so-called municipal reports was futile. The quality of work done could only be guessed at, and the actual cost was utterly unobtainable.

These conditions were clearly shown at the second meeting, held in Cincinnati in 1895, when the discussion of papers presented brought out the fact that there was a wide divergence in the practice of carrying out public works in various cities, and in the specifications and contracts therefor.

At this meeting the number of cities represented increased to forty-eight, while their geographical distribution had extended to Toronto on the north and Los Angeles on the west. At this convention the work of the society was subdivided by the creation of seven standing committees, viz: Committees on Street Paving, Electric Lighting, Sewerage and Sanitation, Water-works and Water Supply, Taxation and Assessments, City Government and Legislation, and Disposition of Garbage and Street Cleaning.

The committees did good work during the next year, and at the third annual meeting, held in Chicago, in 1896, a number of admirable reports and papers were presented, and the printed report of this convention, consisting of a volume of three hundred and fifty pages, can justly be said to have been one of the most

important contributions to the literature of practical municipal work which had been presented.

At this and subsequent conventions an additional standing committee was formed to consider the subject of municipal franchises, and a Committee on Review was created whose duty it is to present at each convention a summary of the most notable municipal undertakings of the year, and of any improvements in practice or methods which are especially worthy of note. In addition, special committees have from time to time been appointed to consider and report upon: The Coating of Cast-Iron and Steel Pipes, Electrolysis, Abolishing of Railroad Crossings in Cities, Municipal Data and Statistics and Park Development and Maintenance.

It will be seen from the above outline that the development of the society has been strictly one of evolution. Its organizers were impressed principally with the fact that there was a lamentable lack of uniformity in the method of carrying out municipal improvements, and an amount of ignorance as to the practice in the different cities which was astonishing. There was no cut-and-dried program as to the kind of work to be done, the method of doing it, or the various subjects to be considered. These suggested themselves naturally in the discussions and interchange of ideas at the conventions.

Now, you will expect me to tell you what the American Society of Municipal Improvements has accomplished during the seven years of its existence. Not a great deal, perhaps, where there is so much to be done. It has not been much talked about. It has put forth no startling theories. It has undertaken no great reforms. It has gone along on the same practical course upon which it started. It has brought together the men who are planning and executing great municipal works; who are building up or are making over our American cities. If their methods have been out of date it has shown them the most modern practice. If their work was costing too much it has shown them where public money could be saved. It has, after careful study and discussion, recommended standard tests of the materials of construction and standard requirements for specifications, and that its recommendations have carried weight is shown by the greater uniformity

in the specifications now in use by cities belonging to the society. It has given special consideration to the standardizing of municipal reports and prepared forms for reports on various municipal industries, such as electric lighting, street cleaning, garbage disposal, operation of water-works, construction and maintenance of pavements and sewers. It has taken special interest in the collection and compilation of municipal statistics, co-operating with committees of other organizations to induce the Federal Census Bureau to include such statistics in the report now in course of preparation.

It has, above all, afforded an opportunity to administrative officers, heads of bureaus and engineers to get together and talk over their own troubles, and to help each other to solve some vexed problems.

Facts, not fancies, have been the subjects of its consideration at its meetings.

Many of the papers which have been presented having been somewhat technical in their character, it may have seemed at times as if the organization were becoming one of municipal engineers. This, however, has been carefully avoided. Of the presidents of the Society, one has held the combined office of city engineer and chairman of the board of public works; three have been street or water commissioners, or both; two have been municipal engineers who have not held administrative offices, while the present incumbent has been for some years president of the board of public improvements of one of our great cities, and is also an accomplished engineer.

The personnel of our membership will be indicated by the following extract from the constitution:

"Article II, Section 1. Any municipality within America shall be eligible to membership in the Society; likewise any engineer, officer or director who shall have charge of or supervision over, or be employed as a consulting engineer on any public or municipal department or work.

"When a municipality has become a member of the Society, then any person of such municipality representing any municipal board or department, or any proper person interested in municipal improvements, who is not a contractor or contracting agent, may also become a member.

"Any member who shall have ceased to have charge or supervision of any public or municipal department or work may retain his membership, unless he shall have come under the restrictive requirements of associate membership, when he shall retain membership as an associate only."

Associate membership is intended to provide for those indirectly connected with or interested in municipal work, such as contractors, or manufacturers of machinery or supplies used on such work. These associate members have no vote and cannot hold office.

It will thus be seen that the limits prescribed for membership are probably broad enough to include the members of your own League, or those of any other association devoted to the study of municipal affairs.

Since the organization of our society several other associations have been formed for the study of municipal problems. If I correctly understand their aims they have devoted themselves principally to the more abstract study of the subject of city governments. The multiplication of these societies has been sometimes deplored by those who feel that much more effective work could be done if they were amalgamated into one general organization with a more imposing membership list. It is doubtful if any more efficient action would follow such a consolidation. Good work on the part of each of these societies should make the work of the others simpler. The propaganda of reform and the elevation of the ideals of city government which your own League is trying to bring about, will certainly make it far easier for the Society which I have the honor to represent to realize its ambition to promote greater economy and work of a better class in municipal administration.

A joint convention of the various municipal societies at some time in the near future might be of substantial advantage to them all. If such a convention should prove successful, they might be held every three or five years, and during the interval each one could pursue independently its own special objects. Should this suggestion appeal favorably to you, I think I may assure you of hearty co-operation in such a movement on the part of the American Society of Municipal Improvements, in the name of which I beg to thank you for this opportunity of introducing itself to you, and to wish you every possible success and encouragement in the admirable work upon which you are engaged.

DIRECT PRIMARIES.

CHARLES B. SPAHR,

Associate Editor, *The Outlook*, New York City.

Editors have been characterized as men who knew a little about everything and not much about anything. When, therefore, an editor is asked to read the opening address upon "Direct Primaries," it may be assumed that what is wanted is a general view of the whole movement rather than the exhaustive treatment of any part of it. This at least defines the purpose of my paper to-day.

A few years ago in all of our cities primary systems fell into general disrepute, and there was a desire among many reformers to get rid of it as the peculiar weapon of the machine. That it was not, however, a device of the evil one is clear enough from the history of the system. At the outset the primary was distinctively the innovation of the democratic or reform elements of society, and was one of the agencies through which our political life was democratized. In our own country the first caucus of which we have any record is that which Samuel Adams organized among the workers in the ship-yards in the north end of Boston before the Revolution—the word caucus being probably derived from "caulkers," the descriptive term applied to all who attended the Adams primaries.

Samuel Adams was the intellectual and moral leader of the radical Democrats of New England, and the caucus was devised by him in order that the poorer men who sympathized with his views might by acting unitedly make their influence felt in the choice of public officers. It was not essential to the aristocratic faction to form an organization in order that its members might have due prominence, or even in order that its members might have due unity. The aristocracy are always in evidence, and as

Adam Smith pointed out more than a century ago, they can act as a unit without meeting together. For years the caucus was derided by the official and Tory members as distinctively the institution of those who favored the independence of the colonies, and the principles of popular government.

The part borne by this North End Caucus in the Revolution is sufficiently marked by the following citation from Frothingham's "Life and Times of Joseph Warren," which I take from Dallinger's scholarly work "Primary Elections": "As the time approached when the tea ships might be expected, the subject was considered in the North End Caucus. . . . This body voted that they would oppose with their lives and fortunes the landing of any tea that might be sent to the town for sale by the East India Company."

This introduction of the caucus or primary as the political machinery essential for the advance of democracy was not peculiar to our own political history. In England also it has been distinctively the Liberal party which has been friendly to the caucus system. Now that the Liberal Unionists are an important element in the Conservative party, the Birmingham caucus may have friends among the Tories; but until very recently at least it was only the Liberals who defended it or made use of its methods.

In the advance of democracy in Anglo-Saxon countries it has never been necessary for the Liberals of one generation to undo any part of the work of the Liberals of the generation which preceded them. So to-day, we who would advance the cause of political reform in regard to the nomination of party officers, do not need to undo the work of the reformers who preceded us. What we do need, however, is to push forward the work which they began. If we stop where they stopped we shall lose even the democracy which they possessed. The caucus system which awakened the disgust of city reformers a few years ago was only outwardly the caucus system which aroused the enthusiasm of reformers a century ago. In rural townships and in the small towns where most of the people knew one another, the character of the caucus or primary had not essentially changed, and in those districts no reformer thought of turning away from it. But in the more populous rural counties, in the cities, and especially in the

large cities, the preservation of the old forms no longer allowed the old spirit to express itself. The caucus which had been the assembly place for practically all the voters who felt alike or at least for delegates from them who were in close touch with all their neighbors, was exchanged for a caucus system in which few of the voters ever assembled, and from which the delegates chosen were in the main utterly unknown to the great body of their supposed constituents. Under the form of democracy the rule of an irresponsible oligarchy had been developed.

In order, therefore, to regain the democracy which our ancestors held, it is necessary in their spirit to democratize present institutions so that the desires of all can again be expressed. In this connection it is well to remember that with the mere growth of population, representative institutions tend to become less representative because the relations of the representative to his constituents constantly become less intimate. Our ancestors governed almost as directly through their representatives as we can govern when measures and men are submitted to the direct decision of the whole body of voters.

When we come now to the recent history of the direct primary movement, we find that the method of direct nomination first gained strength in the rural districts, just as American democracy itself first gained strength in these districts. It was the natural outcome of the equality which is still the rule in rural America, that the building up of a boss system or the machine through which a few voters should control the nominations, was antagonistic to the general spirit. In the rural townships in New England the primary became a "party town meeting." In the West such popular assemblies for the nomination of important local officers were impossible, for in the West the county and not the township is the important administrative unit. When, therefore, the rural counties west of the Alleghenies became populous, nominations were at first made by delegate conventions, but soon it was found that little knots of men at the county town were able to dictate all nominations, and the influence of the ordinary farmers became practically nil. At first the court house "rings" exercised their authority with the consent of the governed. But soon they began to push men and measures odious to the rank and file,

and a revolution was incorporated. North and South, different counties without consultation with each other, began to adopt different systems of direct primaries.

The early history of this movement can no more be traced than the early history of democracy itself. Careful students of the history of democracy admit that it had its origin not in the work of great political leaders or of great thinkers, but in the unobserved movements of common men, wrestling with the administrative problems of dissenting meeting houses or petty local improvements. So it has been with the history of this new democratic movement. Obscure communities had adopted it before it attracted the attention of writers on political philosophy. Lowell might have said that it illustrated his creed that

"All thoughts that move the world begin
Deep down within the primitive soul,
And from the many, slowly upward win
To one who grasps the whole."

In this case the many had not only come to love the ideal of popular nominations, but had grasped it in such a way as to put into effect the machinery which thinkers now recognize as the best possible to meet the conditions confronting us.

One of the earliest and best known of the systems of direct primaries is that which had its origin in Crawford County, Pennsylvania, and of which you are to hear more than I could tell you, from the paper of my successor. In the North this system received its chief—though not exclusive—development in the Republican party; in the South the similar system received its development exclusively within the Democratic party. The reason for this difference is not far to seek. In the rural districts of the North, at least until the political revolution of 1896, the Republican party contained in its ranks the great mass of substantial independent farmers, who are the last class in the world to submit to machine dictation. In the South the Democratic party had precisely the same elements. When we have given a rank and file who are independent, who have opinions upon political subjects and political leaders, it is impossible long to prevent the introduction of a direct primary system. The direct

primary was the only natural expression of the influence which the rank and file of farmers of both parties at the North, and of Democratic farmers at the South, demanded that they should exercise over the management of their parties. In the South the systems seems to have been developed somewhat further than at the North, for years ago it became a frequent occurrence in the rural districts of the South to submit measures as well as candidates to the direct vote of all Democrats in the county or Congressional district, as the case might be, and let the whole body of voters frame the platform as well as name the men to give it effect. So much, then, for what may be called the unwritten history of the new movement.

At the North, the movement first began to attract the attention of political writers when it emerged from the rural districts about fifteen years ago and was tried in the Republican primaries in the city of Cleveland. When this trial took place it was at once demonstrated that there was no basis for the complaint that it is impossible to get good citizens to attend the primaries. At once and ever afterwards the Republican primaries at Cleveland secured the attendance of almost as large a percentage of the voters as attended the subsequent elections. The men and interests which had controlled the nominating conventions tried again and again to secure the abandonment of the direct primary system. They urged with some force that the conflict within the party respecting nominations, divided the party and injured the party in its conflict with its opponent at the later elections; but in spite of this clever appeal to party feeling, the rank and file of Republicans were never willing to give up the system. For a single election there was indeed some force in the criticism, just as there is some force to the criticism that democracy divides the people. Discussion within the party does lessen the intensity of partisanship, but it keeps the party an agent for the mass of its numbers, and prevents the disastrous secessions which boss-made nominations frequently force. The extent to which direct nominations do lessen thick and thin partisanship, is in reality one of the strong recommendations of the system.

In the Southern States, direct primaries first began to attract the attention of the newspaper press when the Reform party in

South Carolina, in 1890, obtained control of the state government which had heretofore been ruled by a relatively small group of influential families who represented the old aristocracy. The Reform movement, as it was called, represented the small farmers of the state, and the men who had risen in fortune, social esteem and self-respect by hard work since the war. This faction of the Democratic party, when it gained the ascendancy, wrought a complete revolution in the government of the state, and this revolution is now recognized by most of the people in South Carolina to have been beneficial. On the side of private morality the reform legislature was incontrovertibly the superior of its predecessors, and the innovations it wrought in introducing the Dispensary System to displace the dram shops, and in extending the public school system, were recognized in every part of our country as measures for moral and intellectual advancement. But these changes were not more strenuously demanded by the new democracy of the state than was the overthrow of the old caucus or convention system, and the introduction of direct primaries for the nomination of all public officers, from town clerks to United States senators.

The workings of this system have been in one respect disappointing to its inventors, but because of this disappointment it is now acceptable to the faction which resisted the innovation. It was found upon trial that the voters of South Carolina were less radical than the majorities given for the reform faction at its triumph in 1890 had led this faction to suppose. The first two men elected as party candidates for the United States senators were men more acceptable to the Conservatives than to the Radicals. They were not, indeed, identified with the Conservative faction, which had bitterly fought the reformers, but they were men whom the propertied interests of the state welcomed as representatives of the state in the Federal Senate. This, of course, was a disappointment to the political leaders who had introduced the direct primary, and may serve as a warning to those who demand direct primaries, because they think it means the triumph of radicalism, that radicalism cannot secure any immediate triumphs through this agency. In every community, except in revolutionary times, radicals are numerically almost as weak as reac-

tionaries, and if radicals care more for the enthronement of their faction than for the enthronement of the common sense and conscience of the whole people they should abandon this reform. The direct primary seems practically certain to result in the nomination of moderate men who are measurably in sympathy with all the factions of the party. The extreme right and the extreme left can rarely get their men chosen.

South Carolina's experiment having demonstrated its practicability and having won the general support of the Conservative elements which at first opposed it, the direct primary was adopted three years ago for the nomination of state officers in Georgia. The writer happened to be visiting in Georgia while the primary campaign was in progress in 1898. The candidates for state offices went directly to the voters and stated and advocated the policies which they should pursue if elected to office. The candidate who was believed to have the favor of the "old state-house ring," found that this favor was an argument against him with the great body of the voters. The nominee chosen, while not a man of great brilliancy, was a man whose stability and force of character were recognized by all the people of the state. At the primary election the vote was nearly as large as the Democratic vote had been at any regular election in Georgia for a great many years and in South Carolina it may be said the Democratic vote at the primaries is always far greater than at the general election, since in South Carolina the outcome of the general election is certain while the outcome of the primary election is uncertain. In both states, as in the Northern cities where the experiment has had a trial, nearly 80 per cent of the party voters come to the polls to take part in the primaries.

In the North the reform system began to attract almost universal attention about four years ago. Its sudden popularization was a part of the same movement which caused the National Municipal League to spring to existence. The growing discontent with boss rule in state and city governments, forced public spirited men everywhere to recognize the necessity of finding some means by which the general body of voters could secure the nomination of candidates acceptable to themselves. This desire everywhere felt, caused the ideal of direct primaries to take root

in a great many places. A strong impetus, furthermore, was given to the reform movement by the National Conference held in New York, in January of 1898, at the call of the political committee of the Civic Federation of Chicago, to consider "practical reform of primary elections." Direct primaries were not suggested in the call for the meeting, and no resolutions were adopted at the meeting demanding direct primaries. But the current of sentiment set strongly in favor of this reform.

Prior to this, as has been said, the movement for direct primaries had been a natural product of democratic soil. It had grown up without any conscious sowing of seed, plowing or reaping. Thereafter it was the object to careful cultivation in soils not naturally hopeful—reform leaders in all parts of the country working to force its growth in the machine ruled cities. There were three principles upon which reform thinkers everywhere were found to be in concord. The first was, that primary elections of parties must be placed under the regulations of statute law, so that crimes in them could be punished in the same way as crimes at general elections.

The next principle upon which there has been substantial agreement is that the Australian ballot system ought to be used in the primaries as it is in the general elections. In nearly every locality those who have supported direct primaries have been those who gave their previous support to the Australian ballot, and it was, therefore, inevitable that the Australian ballot should be a part of the direct primary system. In order to abolish as far as possible the necessity for campaign funds and to place the poorer candidate on an equality with the richer, it is everywhere demanded that the ballots for the primary election shall be printed by the state, and that the names of all candidates proposed by a reputable number of voters shall be printed without any discrimination, so that the candidate who is the choice of the voters may receive a majority.

The third principle agreed upon is that primary elections shall be held upon one of the registration days wherever personal registration of voters is required. By holding the primary elections at the time that the voters register for the general elections, there is economy of expense and economy of time for the voter.

The first of these three principles, that relating to the necessity of guarding primary elections with the same care that general elections are guarded, has now been recognized in the laws of most of the Northern States. Even in New York it is no longer legal to hold party primaries without informing the voters of the party just when and where they are to be held, and without having the election so conducted that the casting of fraudulent ballots is as perilous as a general election. By this reform it is possible, even in New York City, for the majority of the voters of a party to overthrow a political machine in case its misconduct reaches the point that forces the majority to agree upon another machine to take its place. The rank and file of the voters, however, are only permitted to elect a new machine to govern them; they are not permitted to govern themselves. They can select anti-machine delegates to conventions, but these delegates cannot be shielded from the influence back of the machine, and only on rare occasions can the mass of citizens be interested in choice of delegates. So long as nominations are made through conventions the machine is enthroned.

To put primaries under the control of law therefore while good is not enough. It tempers despotism by the possibility of the assassination of the despot, but insures him a successor. To overthrow the system of machine rule it is necessary to give the people direct power to name their candidate without machine intervention, and to accomplish this the opponents of machine rule all over the North are demanding direct primaries held under the Australian ballot system. For three years bills to secure this end have been as numerous before our state legislatures as were Australian ballot laws a decade ago.

Year before last the reform system triumphed in Minnesota in the passage of an act restricted indeed to the single county in which Minneapolis is located, but incorporating all the provisions upon which the advocates of direct primaries were agreed. The first trial of this system was at the election for mayor last year. At this election it was demonstrated to the satisfaction of nearly the whole people that the reform plan was practicable in every respect. As many people voted as usually vote at a general election and the candidate preferred by the majority of each party was named.

Only one defect developed in this election, and that did not relate to an essential feature of the law. In the Democratic primaries there was practically but one candidate for mayor, as nearly every one was agreed that the mayor then in office was entitled to renomination by his party. In the Republican primaries, on the other hand, there was a warm contest for the mayoralty nomination. Because of the interest taken in the Republican primaries, a good many Democrats preferred to vote in them rather than in their own, and inasmuch as the law permitted each citizen when registered to vote in the primaries without stating which party he wished to affiliate with, there was no way of preventing such votes from being cast. In spite of this defect, the success of the experiment was so pronounced that the Minnesota legislature at its recent session extended the system to the whole state, merely providing that before voting in the primaries of either party the voter should state his desire to affiliate with that party. The present Minnesota law applies to all city, county and Congressional nominations, and Governor Van Sandt expresses the hope that the next legislature will extend it so to include the nomination for state officers as well. The Minnesota law, when this last modification shall have been made, will embody the ideals of reformers.

In Wisconsin a similar law was directly pledged by the Republican State Convention as the outcome of the canvass which ex-Congressman La Follette had made through the state when a candidate for the gubernatorial nomination. The Minnesota pledge read as follows:

"The great reformation effected in our general elections through the Australian ballot inspires us with confidence to apply the same method in making nominations, so that every voter may exercise his sovereign right of choice by direct vote without the intervention or interference of any political agency. We therefore demand that caucuses and conventions for the nomination of candidates for office be abolished by legislative enactment, and that all candidates for State, Legislative, Congressional and County officers be nominated at primary elections upon the same day by direct vote under the Australian ballot."

No pledge could have been more explicit. Yet no sooner was the legislature chosen, a legislature in which the Republicans had over four-fifths of all the members, than the machine leaders of the party who had done all in their power to prevent the nomina-

tion of Governor La Follette, now began to use all their power to prevent this pledge from being fulfilled. To accomplish this end the officials of the National Government who owed their appointment to senators identified with the old political machine, began a war upon Governor La Follette and the reform which threatened and may yet bring about the disruption of the party within the state. The leading Republican newspaper of the state, which had warmly espoused the reform, and still vigorously supported it after the election was over, was bought up by a street railway millionaire, and immediately converted into an enemy of the redemption of the party's pledge. The forces which supply the corruption funds throughout the state were in league with the machine politicians, and left no stone unturned to prevent the triumph of the reform. If any one questioned the supreme importance of direct primaries to the cause of reform, the methods used in Wisconsin to defeat it would answer all his doubts. The bill doing away with the convention system and requiring direct primaries for the nomination of every officer of the state, the Congressional district, the county and the city, exempting only the candidates for offices in townships where all the voters know each other and no boss system has ever developed, was passed by the House of Representatives by a small majority and sent to the Senate where there were but two Democrats among the thirty-three members. Every consideration of personal honor or party pride demanded that the bill be endorsed, but the work the machine made possible brought about its defeat. At first it was pretended that a majority of the people upon further consideration did not wish the reform which the platform demanded and upon which the governor had made his contest; but the advocates of the reform met this objection by offering an amendment, declaring that the system should not go into effect until it had received the approval of the majority of the voters. But the machine refused to submit the measure to the consideration of the voters, and thus showed that they were doing violence to the principles they had professed as well as to the pledges which they had made. Nevertheless, the fight in Wisconsin is not yet over. The governor, who is at the head of it, is the man whom the machine has been fighting against for years, and who has made the accomplishment of this

reform the centre of the movement by which the control of public offices in his state shall be turned over from powerful private interests to those who would have the public interests supreme.

In other states also the movement is rapidly gathering strength in spite of all that the machines and the interests back of them can do. Nowhere has it received a trial and then been given up, though nearly everywhere machine influences have tried to secure its abandonment. Against the machine criticisms I do not need to defend it before this audience. You will be inclined to love it for the enemies it has made. There remains only to be considered the criticisms brought against it by ordinary citizens who are dissatisfied with its workings. These are two in number:

1. It does not overthrow the machine.
2. It does not always secure good nominations.

Both of these criticisms are just. If we demand a system by which the "remnant" of advanced reformers shall control politics and select candidates, we do not give our hearts to the direct primary movement. But to my mind it is evidence of the common sense of reformers, that they are everywhere heartily supporting this movement, though they know it will not put them in control. Direct primaries do not abolish the machine, but they make the machine the servant of the party instead of the masters. Direct primaries do not always secure good nominations any more than Democracy always secures good government, but they do secure for people the nominations they want. Those who believe that marriages could be better arranged by a bureau though nobody got his choice, may urge that nominations could be better arranged by a commission no matter whether the people got their choice. The people have a right to the choice. In the case of marriages from choice, it is said that nine times out of ten a person gets the companion he needs, and the tenth time gets the one he deserves. In the case of nominations by popular choice, it may be said, that seven times out of ten the party gets the candidate it needs, and that ten times out of ten it gets the candidate it deserves. Here again the merits of the system are merely those of Democracy. It places responsibility upon the people, and makes politics consist not in courting and buttonholing and bribing individuals, but in persuading and educating the whole people. Its only advantage

at the beginning may be that which Sydney Smith pointed out as the basic advantage of Democracy—that the people at least always wish the public weal, while the machine is often concerned for private weal. But this while the most obvious advantage of direct primaries as of Democracy is not to my mind the greatest advantage. Good administration, as President Jordan, of Leland Stanford, has said, is not the supreme end of government; the supreme end is good citizenship. The system which puts the responsibility for men and measures directly upon the conscience of the whole people is the only system through which the whole people can be stirred to think and feel and act for the public welfare. Democracy, therefore, offers not only the surest method of securing better officials, but the only method of securing alert, public-spirited, educated voters.

THE CRAWFORD COUNTY OR DIRECT PRIMARY SYSTEM.

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Political parties are a recognized necessity in every constitutional democracy. Wherever the masses are the source of political authority, they divide naturally upon various questions of foreign and domestic policy, generally into two greater and many lesser parties. One or the other of the great parties, either alone or in combination with one or more of the lesser, is always in control of the government. Not the whole people, then, but a party really rules, and a government is no better than *the party* which is in control. If we would have the best government possible, therefore we must look closely to the foundation, and in every democracy the foundation rests in the party caucus. To whatever degree this represents the best thought, intelligence and aspirations of the voters themselves, responds to their desires and carries out their wishes, to that degree it is a valuable adjunct of government. It is a perplexing problem how to make government truly representative of public opinion, clean, efficient, economical and just, and one not to be solved by limiting the participation of the masses, for the surest way to deaden is to disuse. Whatever, then, promotes the participation of the masses in political life, keeps fresh their interest in political affairs, makes them acquainted with the *minutiae* of town, city, county and state government, is worthy of sedulous cultivation. These and other important advantages are claimed for the Crawford County, or popular vote, or direct primary plan of making nominations, and of governing party organizations.

The Republican party of Crawford County, Pa., in 1860, less than six years after its birth, inaugurated the plan known as the Crawford County system. Although the party had twice carried the county, formerly Democratic, and was seemingly well entrenched in power, its young, vigorous and, in the main, well-led organization had experienced the difficulties which beset all successful political parties. What those difficulties were are clearly set forth in the following brief resolution, offered by Dr. C. D. Ashley in the Republican county convention, of June 20, 1860:

WHEREAS, In nominating candidates for the several county offices, it clearly is or ought to be, the object to arrive as nearly as possible at the wishes of the majority, or at least a plurality of the Republican voters; and

WHEREAS, The present system of nominating by *delegates*, who virtually represent *territory* rather than *votes*, and who almost necessarily are wholly unacquainted with the wishes and feelings of their constituents in regard to various candidates for office, is undemocratic, because the people have no voice in it, and objectionable because men are often placed in nomination because of their location who are decidedly unpopular, even in their own districts, and because it affords too great an opportunity for scheming and designing men to accomplish their own purposes; therefore

Resolved, That we are in favor of submitting nominations directly to the people—the Republican voters—and that delegate conventions for nominating county officers be abolished, and we hereby request and instruct the county committee to issue their call in 1861, in accordance with the spirit of this resolution.

This resolution was adopted with but two dissenting votes in a convention of eighty-eight delegates representing forty-four election districts. The system demanded was formulated, in 1861, by a sub-committee of the county committee, and adopted by the full committee, of which the Hon. John W. Howe, an ex-member of Congress, was chairman. By popular tradition he was the real author of the system. The rules thus put into practice, with a few amendments, have ever since been in use by the Republican party of Crawford County, although they were not formally passed upon by the voters of the party until fifteen years later. It is rather odd that these rules, providing for a popular vote system of making nominations, should have been ordered put in force by

a delegate convention, drawn and put in force by a committee, without being referred to the voters themselves.

The rules now in force are printed in full (Appendix A). They provide for the nomination by popular vote of all candidates, duly announced in the newspapers, the voting to take place at the regular polling place in each district between the hours of 2 and 7 p. m. on the day selected by the county committee. The voters of the party who have assembled in each district at 2 p. m., choose one of their number for judge of the election to be held, and two persons for clerks. When the polls close at 7 p. m., the board counts the votes cast, and on the following day one member, usually the judge, takes the return to the convention at the Court House in Meadville. Here the returns from the entire county are tabulated, and the result announced by the president, the persons receiving the highest number of votes for each office being declared the nominees of the party.

For many years each candidate furnished his own ballots. About ten years ago the candidates for each office co-operated, printing all their names on one ballot, with instructions to the voter concerning how many were to be voted for. For several years past the chairman of the county committee has printed ballots containing all the names of all the candidates announced according to the rules, grouped according to the offices, the voter erasing the names of all except those for whom he wishes to vote. Thus, without either act of the legislature, or even a rule of the party, a satisfactory solution of the ballot question has been reached.

The rules now in use have been but slightly changed and in minor matters only since originally adopted. Early in their history it was found necessary to strictly limit participation to those either known to be Republican voters or willing to pledge themselves to thereafter vote the Republican ticket; to require the use of ballot boxes (a hat or an open table serving in some places for many years); and to require lists of voters to be kept and brought to the convention of return judges, in order that in case of dispute and contest it might be possible to determine whether voters not Republicans had participated, or whether there had been fraud. To guard against fraud and the participation of

other than Republican voters, an amendment was also adopted, limiting the number of votes which might lawfully be cast in any district at a primary to the number cast at the last preceding presidential election, making allowance for voters who had come of age since that election, and providing for the reduction of the vote *pro rata* among all candidates in case of excess. To the credit of the party it has never been found necessary to enforce this amendment.

How widely this system is in use throughout the country it is impossible to state with any degree of certainty. It is slowly but surely making its way in every direction, either in its original form or in the modified or Clarion County system. It long since passed out of the experimental stage, and is now almost as much a part of our political system as manhood suffrage itself. It is used (by the Republican party mostly) in nearly half the counties of Pennsylvania, including such large counties as Lancaster, Lackawanna and Erie. It is also used extensively, according to Mr. Dallinger ("Harvard Historical Studies," Vol. IV, 1897), in Maryland, South Carolina, Alabama, Mississippi, Arkansas, Tennessee, Kentucky, Ohio, Indiana, Missouri and California. In all these states, except Maryland, Tennessee and Arkansas, the primaries are regulated by statute. The system has been tried in a number of Congressional districts as well, and has proven uniformly satisfactory, especially in districts long tormented by the unseemly wrangles of the conferee system. In the congressional district of Erie and Crawford Counties, Pa., it has been in use since 1888, with entire satisfaction, the primaries of the two counties being held on the same day and a plurality of votes nominating. I know of no large cities in which it has been used except Philadelphia and Cleveland. In Philadelphia it was used for only two years—1872-1873. It was not safe-guarded by statute, glaring frauds were perpetrated and it was abandoned in disgust. Senator David Martin writes me that, nevertheless, he believes it to be "the fairest system if it is conducted properly."

A short trial of the system in a single county in Minnesota proved so satisfactory that the legislature of that state at its last session extended it by statute to all counties. The act was approved April 10 and takes effect September 1, 1901. It is

mandatory upon all parties, and applies to candidates for all district, county and city offices, including members of school, park and library boards in all cities having over 50,000 inhabitants. State, town and village officers, and members of school, park and library boards in cities of less than 50,000 inhabitants are excepted from its provisions. This is, I believe, the first law of the kind to grace the statute-book of any state. A similar law applying to all state, district, city and county offices has been the paramount political issue in Wisconsin for several years and passed the lower branch of the legislature at the last session, but failed in the Senate. An act limited to city, county and district officers passed both houses but was vetoed as inadequate by Governor La Follette, who is the leader of the movement in favor of primary election reform. The Pennsylvania House of Representatives at the present session passed an act similar to that of Minnesota, limited to district, county and city officers, but it probably will fail in the Senate.* A much more comprehensive measure, introduced by Senator William Flinn, which included all state officers as well, failed in the Senate early in the session.

Congressman Taylor, of Ohio, in a recent letter says the system has been in use in Columbiana County of that state for nearly half a century and with entirely satisfactory results. Mr. Arthur Dunn, of Scranton, Lackawanna County, Pa., writes that at their last county primaries 14,000 votes were polled, within a thousand of the whole number of the county. Since the adoption of the system, he declares the class of officeholders has been steadily becoming better; interest in politics and government has revived; the city government of Scranton has been vastly improved; unlicensed saloons closed; the sale of liquor on Sunday has been lessened; vice has been driven from public places and political jobbery has been reduced to a minimum. "After six years of personal experience and close attention to the workings and merits of the delegate and the direct primary [Crawford County] system in the county," says Mr. Dunn, "I can truthfully state that the direct primary system does result in the selection of a more intelligent, more efficient and more honest set of governing

* All primary election bills in the Pennsylvania legislature were defeated outright or allowed to slumber in committee until too late to be passed.—EDITOR.

officials, by far, than were ever obtained under the delegate system." Endorsements equally strong might be multiplied from many sources.

In Crawford County, two opportunities have been given the voters to return to the delegate system. In 1876, after a very full discussion by the press, the system was retained, receiving 1,585 votes; the Clarion County system, 696; the representative delegate system, 533. The two popular vote systems received over eighty per cent of the vote cast. Not satisfied with this result, the friends of the delegate system asked for another test, and in 1879 it was made. The verdict was still more emphatic, 1,945 votes being polled for the retention of the system as against 416 for the delegate system. For the past twenty-two years no attempt has been made to supplant it.

So satisfactory has the system proven in Crawford County that it was adopted by the Republican party of Meadville, the county seat, a city of 10,000 inhabitants, for all ward and city nominations. A very instructive and valuable comparison may be made with the delegate system, which is still employed by the Democratic party of Meadville and Crawford County. In the primaries to nominate candidates for mayor, city treasurer and city controller of Meadville, held in January of this year, 676 Republican voters participated. At the subsequent municipal election in February, the average Republican vote was 900, showing that seventy-five per cent of the Republican voters who took part in the general election, took part in the primaries for the nomination of the candidates for whom they were to vote. The Democratic city primaries were held a few days later and under the delegate system. Only 117 voters attended these primaries or ward caucuses, the distribution being as follows: First Ward, 18; Second Ward, 22; Third Ward, 50; Fourth Ward, 27. At the subsequent election the Democratic vote in the city was 820. But fourteen per cent of the Democratic voters participated in the party primaries under the delegate system, while seventy-five per cent of the Republican voters participated in their primaries under the Crawford County system. The city is a close one politically, the outgoing mayor and other city officers being all Democrats. There was fully as much incentive for one party

as for the other to attend the primaries, the chances of carrying the election being nearly equal.

In 1887 the system was adopted by the Republicans of the Twenty-sixth Pennsylvania Congressional district, composed of the counties of Crawford and Erie. It has given entire satisfaction, and has resulted in an average attendance at the primaries of 77 per cent of the entire Republican vote of the district as cast at the subsequent general election. (For particulars, see Appendix E.) Crawford County had theretofore been part of a district using the conferee system, Erie County of a district using the large representative delegate system. Both are greatly pleased at the success of the Crawford County plan in the district. No one has dared to propose going back to either of the old systems.

The distinguishing merit of the Crawford County system is that it promotes the participation of the masses of voters in political life and encourages them to take into their own hands the management of the party organization. The system has been in use for forty years in the county of its origin. For all these years, omitting only those in which there were no contests whatever, or contests over such minor offices as county surveyor (no emoluments) or jury commissioner (salary only \$150 a year) and including all years in which there were genuine contests, I find that the lowest percentage of the entire party vote ever cast at a contested primary was forty-four per cent in 1900. This low percentage really requires explanation, as it is much the lowest for forty years. There was no contest over the nomination for Congress, and none for delegates to the national or state conventions, and rather a languid interest in the nominations for the lower house of the legislature and jury commissioner, because there was a well-founded belief that there was only a fair prospect of electing the successful candidates. Then, too, it being presidential year, the Republican vote polled at the general election was very heavy, made unusually so, doubtless, by the certainty of President McKinley's re-election, the floating vote going to him, as it always does to the side which bids fair to win.

The next lowest percentage was in 1862, the second year of the life of the system, when fifty-two per cent of the vote cast at the succeeding general election was cast at the primaries. In

1872 the percentage was 58; in 1877 it was 59. A very hotly contested canvass for the state senatorship brought out 6,538 voters at the primaries, only 5,120 of whom materialized at the subsequent general election. There was either fraud or a free voting of Democrats at the primaries, probably both. This is the only case in forty years in which the vote at the primaries in the entire county has exceeded that at the subsequent general election. With this exception the highest percentage was 93, in 1878. For eight years the percentage ranged between 80 and 90. In the remaining sixteen years it has ranged between 60 and 80. The abnormally high percentage of 93 in 1878 is explained by the fact that after participating in the Republican primaries, a considerable body of Republican voters became converts to the greenback theories, and voted for the Greenback candidate for governor, thus reducing the Republican vote at the general election, and increasing the percentage at the primaries. The average representation at the primaries for thirty-one years is 73. The average of the sixteen highest is 84; of the fifteen lowest is 61. I question if anywhere else in the country during the past forty years under any other system, so large a percentage of the voters have regularly participated in the party primaries or caucuses. (For tabular statement of the vote in Crawford County for thirty-one years, see Appendix D.)

Another advantage of the popular vote system is that it secures a more direct and positive expression of the wishes of the voters than is possible under any delegate system. Mr. Dallinger on page 127 of his work points out the most serious defect of the convention system. "The individual voter," he says, "cannot express his opinion in regard to the different candidates. . . . John Smith goes to a caucus or primary, anxious to see Thomas Jones nominated as the party candidate for county treasurer, and accordingly he votes for the delegates pledged to vote for Jones in the convention. But he cannot always assure himself that those delegates will also vote for his friend Brown for sheriff, or against an incompetent Robinson for probate judge. Thus the convention system only partially gives expression to the wishes of the individual voter." This grave objection to the delegate system was thought out by the men who framed the Crawford

County system, forty years ago, and clearly expressed in their resolution in which they demanded something better.

Other advantages of the system are:

1. To a large extent it makes difficult the control of primaries by the machine—not altogether impossible, I frankly admit, but at least to a large extent. Some of the plans of the leaders to control nominations carry, generally, when they are in line with public sentiment, and should carry. Often, however, in spite of the utmost endeavor, they fail. Log rolling or combining of forces, as in the delegate system, is next to impossible. The time between the date when announcements must be made and the date of the primaries gives all candidates, their friends and supporters, ample opportunity to learn of the proposed trades and dickers, and to frustrate them.

2. Changing the results of primaries by manipulating delegates after their election is avoided. The return judges simply carry the returns to the county convention where they are computed and the results declared. They have no vote as to candidates unless there be a tie.

3. From thirty years' observation of the workings of this system at close range, I believe it results in the nomination of more capable and efficient candidates for office than does the delegate system.

The faults of the system remain to be considered. It is alleged by those who are opposed to it that; 1. It weakens the party which adopts it in those districts in which the opposition continues to use the delegate system. If both parties would use it, these objectors maintain, it would be fair, but where one party uses the popular vote plan, with the chance always present that nominations will not be fairly distributed geographically, and the other party uses the delegate system, holding its primaries later, the latter can take advantage of errors of this sort which are unavoidable under the direct primary plan. This is a very trivial objection and one which actual use does not justify. The tickets of the Republican party, which has used the direct primary plan for forty years, have been as well distributed as those of the party using the delegate system. The occasional defeats of the Repub-

lican party in Crawford County, the home of the system, are not due, I maintain, to the system itself, but to other causes.

2. It is alleged that it involves an unnecessary expenditure of time and money, as candidates are required, by the necessities of the case, to make a personal canvass of the entire district. This objection to the system is not well founded. The necessary expenses of the one announcement required by the rules, and of a personal canvass, are easily within the means of poor men. Many such have been nominated over men of considerable wealth. It is only when candidates get to spending money freely with leading party workers that the cost grows, and this is not a necessary expense nor is it a fault peculiar to the system. Such expenditures are made under all systems and wherever men contend for political prizes.

3. It is claimed that the system begets fraud and false counting. There has been but one instance in its use at home of an excess of votes at the primaries, that of 1870, which I have mentioned. There has been but one prosecution for fraud and in that case the Grand Jury ignored the indictments. The amendment to the rules limiting the vote at the primaries to that cast at the preceding general election has put an end to the grosser frauds of this character. Furthermore, frauds of every known variety are common to all other primary systems.

4. Another objection urged against the direct primary is that it gives the cities an advantage over the rural districts. The city voter, it is claimed, being within easy walking distance of the polling place, can vote at the primary without interfering with his business or taking time from his work, while the rural voter, living perhaps several miles from the polling place, must lose half a day at least in order to exercise his right. The result, it is urged, is to increase the power of the city voter at the expense of the rural voter. But this fault is not peculiar to the direct primary system. The rural voter labors under the same difficulty if he tries to exert his political power under the delegate system. If he would attend the caucus called to choose delegates to a convention he must go where the caucus is held. And if he does not go, those who do go choose, without his co-operation, delegates who represent him. In our county the rural voters are

thoroughly alive to their privileges and attend the primaries in large numbers. The most careful estimate I have been able to make indicates that about 60 per cent of the voters in the townships, 70 per cent in the cities and 80 per cent in the boroughs (incorporated villages) usually attend the primaries.

5. The gravest objection to the system is that only a plurality is required to nominate, and that therefore a minority may control the nominations. In answer to this objection, it may be said that in almost every state in the Union pluralities are sufficient to elect officials, and if to elect, why not to nominate? Excepting McKinley, every President of the United States since Grant has been elected by a plurality only of the popular vote. Abraham Lincoln was elected the first time by a plurality. In actual practice it has been found that at least 50 per cent of the nominations under the direct primary system have been made by a majority of all the votes cast. Finally, when compared with the other systems, the objection to pluralities is found not to be peculiar to this system. When delegates are elected there is absolutely no assurance that the result will be that desired by a majority of the people. The delegates themselves may be and generally are chosen by a plurality vote. In the Clarion County system, in which it has also been sought to overcome this objection, the elections are held as under the Crawford County system. But the return judges ballot in the convention, each casting for the candidates who receives the highest vote for each office the entire party vote of the district, as shown by the official returns of the last general election. The balloting continues, the lowest candidate being dropped at the close of each ballot until some candidate receives a majority of all the votes. If the candidate who receives a plurality of the votes of his district is dropped, the delegate from that district casts the entire vote of the district for the candidate who receives the next highest vote, the delegate voting as he personally chooses only when all the candidates who receive any votes in his district have been dropped.

To illustrate: Under the representative delegate system at its very best, where a separate convention is held to nominate a candidate for each office, the delegates themselves may represent only a minority. If three delegates, for instance, ran in one district,

each representing a different candidate, and one received 100 votes, another 80 and another 70, the vote of the district in the convention would be given to a plurality candidate who received only 100 out of 250 votes cast. And if this candidate is dropped as the lowest, the whole strength of the district goes to the candidate who received either 80 or 70 votes out of 250 cast. With the Clarion County system the same is true. The return judge who casts the entire vote of the district for the candidate who receives the highest number of votes may only represent a plurality, and if the candidate who was the first choice of the district is dropped in the balloting, the return judge casts the vote for the second highest, and in turn for the third highest candidate. Not only does the majority vote not enter into the result, but the lowest candidate in the balloting at the primaries receives the whole vote of that district, on the theory, I suppose, that this is some sort of a second choice.

No method has yet been devised which makes impossible the nomination of candidates who might not be nominated if balloting could continue until a majority result was at last obtained. This is manifestly impracticable. But one state in the Union, Rhode Island, now requires a majority of the whole number of votes cast to elect. Pluralities are recognized as sufficient to elect in every other state. A majority of the Electoral College is required to choose a President, or, if this fails, the election is by the House of Representatives. But the Presidential Electors themselves may be and often are chosen by pluralities. It is possible that a system of primary voting may be devised which will include the expression of a second, possibly of a third choice by each voter, to be effective in the event that his first choice does not receive a majority. In the meantime, the direct primary plan need not be discarded because it does not always insure a majority vote, for no other system comes any nearer it.

SUMMARY.

A brief summary in conclusion :

1. The Crawford County system has been successfully and continuously used in the county of its origin for forty years, and

during that time has been twice approved by overwhelming majorities.

2. After participating in its use for thirty years the Republicans of the city of its origin adopted it for municipal nominations, where it has also been used successfully and with almost universal satisfaction.

3. It has been used with entire satisfaction by the Republicans of the Twenty-sixth Pennsylvania Congressional District (composed of the counties of Crawford and Erie) for twelve years, answering conclusively the objection that it is not practicable in more than a single county or city.

4. Its use has extended to many of the smaller cities and to many counties, both great and small, in Pennsylvania and also to other states. In all of these it has given general satisfaction. It may not be adequate to the present acute conditions in some of our larger cities, but if it had been in use, these conditions would, I believe, be much better than they are.

5. It is seldom abandoned when once adopted, and never, so far as can be learned, if adequately protected by statute.

6. Formidable movements are under way in several states to extend its compulsory use by law to all parties for municipal, county and state nominations. In Minnesota such a movement has recently succeeded.

7. Its minor faults are not peculiar to it alone, but are common to all primary systems, and its chief fault, that it permits the rule of pluralities, is a fault of popular government itself, and therefore, as our national experience has shown, is not to be feared.

8. Its distinguishing advantage is that it promotes political activity by those upon whom rests ultimate political responsibility. It must, therefore, be conceded the highest place among the primary political systems now in use. It is not claimed that it is a panacea for all the political evils of the time, or that it may be safely substituted for that eternal vigilance which always and everywhere will be the price of good government. What is claimed for it is that it is the fairest system yet devised for nominating candidates for office, and that it does promote political activity and freedom of the masses and thus tends to make better

government and better citizens, which is the primary object of government.

APPENDIX "A."

THE RULES WHICH GOVERN THE REPUBLICAN PRIMARY ELECTIONS IN CRAWFORD COUNTY, PA.

1. The candidates for the several offices shall have their names announced in one or more of the county papers at least three weeks previous to the primary meetings, stating the office, and subject to the action of said primary meetings.

2. The voters belonging to the Republican party in each ward, town or borough, shall meet on the day designated by the Republican County Committee, at the usual place of holding elections, at 2 o'clock p. m., and proceed to elect one person for judge and two persons for clerks, who shall form a Board of Election to receive votes and determine who are proper persons to vote, and shall hold the polls open until seven o'clock p. m. After the polls are opened, the candidates announced as aforesaid shall be balloted for. The name of each person voting shall be written on a list at the time of voting, and no person shall be allowed to vote more than once for each office. The ballots shall be numbered and the corresponding numbers written on the poll list opposite the names of the voters, and said poll lists and ballots shall be preserved and returned with the return of each district. Every person claiming to be a Republican, who voted for the Republican candidate at the last preceding general election at which he voted, and declares his intention to support candidates nominated at such primary election, shall be entitled to vote, and every person challenged, or whose right to vote is doubted by an election officer, shall be sworn as to the qualifications aforesaid, and his oath shall be returned with the return of said district. Any person entitled to cast his first vote at the succeeding general election shall be entitled to vote on pledging himself to support the ticket nominated at such primary election.

3. After the polls are closed the board shall proceed to count the votes that each candidate has received and make out the returns accordingly, to be certified to by the judge and attested by the clerks. It shall be the duty of the persons holding the primary election, as soon as the count is completed in each district, to make a public announcement of the result, and also to post upon the door of the election house a brief statement, signed by the election officers, showing the votes received by each candidate voted for at said election.

4. The judge (or one of the clerks appointed by the judge) of each district shall meet at the Court House in Meadville on the day following the primary meetings, at one o'clock p. m., having the certified returns and a

list of voters, and the person who shall have the highest number of votes for any office shall be declared the regular nominee of the Republican party. Whenever any return from any district shall show more votes—exclusive of the number of persons casting their first vote at such election—than were cast by the district for the last preceding Republican candidate for Governor or President, such excess shall be deducted from such return, said deduction to be taken *pro rata* from the vote returned from the district for the respective candidates for each office at said primary election.

5. Any two or more persons having an equal number of votes for the same office, the Return Judges shall proceed to ballot for a choice, the person having the highest number of votes to be the nominee.

6. The Convention of Return Judges shall have the power to reject all fraudulent votes from the returns of any district, and where frauds have been committed or allowed by the Board of Election, of such a nature and extent that it is impossible to determine the true vote of a district, the convention may reject altogether the return from such district.

7. The Return Judges shall have power to appoint conferees—senatorial and congressional—or either, as the case may be, who shall be recommended to support the person who shall have received the highest number of votes cast for that office in the county.

8. The Return Judges may at any time change this mode of selecting candidates, as they may be instructed by the people at the primary meetings, due notice of such proposed change having been given by the County Committee.

9. It shall be the duty of the Chairman of the County Committee to issue a call for the primary meetings in pursuance of the action of the County Committee; to print and distribute blanks for returns, poll lists and oaths as required by the foregoing rules. It shall be the duty of the Chairman of the County Committee to call a meeting of the committee on the request, in writing, of ten members.

AN ACT* TO PROTECT THE ELECTIONS OF VOLUNTARY POLITICAL ASSOCIATIONS,
TO REGULATE PRIMARY ELECTIONS AND PUNISH FRAUDS THEREIN,
WITHIN THE LIMITS OF THE COUNTY OF CRAWFORD.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all elections hereafter to be held by any voluntary political association or party, in the county of Crawford, for any delegate or executive committee, or for the nomination of candidates for public office, the persons chosen to hold said election, as judges and inspectors, or clerks and officers, or any person, in their absence or refusal to serve, assuming or chosen in their place, shall first be sworn or affirmed by some officer authorized to administer oaths, but if no such

* Approved February 6, 1872. See P. L. 1872, p. 82.

officer be present, one of the inspectors or clerks shall administer the oath or affirmation to the judges, and then the judge so qualified shall administer the oath or affirmation to the inspectors and clerks, that they will correctly and faithfully conduct such election, protect it against all frauds and unfairness, and truly canvass all votes cast thereat.

SEC. 2. It shall be the duty of the judges of such election to entertain objections made by any qualified elector to any vote that may be offered, on the ground that the person offering it is not entitled to vote at said election, or that he has received or been promised, directly or indirectly, any money, promise, or reward, for his vote for any candidate, or that he has voted before at that place or some other, on that day, in the same election; and it shall be the duty of the judges of the election, if such objection be not withdrawn, to administer to the person so offering to vote, an oath or affirmation, that he will truly testify to all matters relating to his said qualification, or receiving or being promised, directly or indirectly, any money, promise, or reward for his vote for any candidate, or whether he has voted at that or any other place on that day at such election; it shall then be the duty of the judges of election to interrogate the person so objected to, as to all the matters upon which said objection was made, and generally as to his qualifications; if the person so objected to shall refuse to answer such questions, after said oath or affirmation shall have been administered, or shall refuse to take such oath or affirmation, it shall be the duty of the judges of election to reject such vote; but if such oath be taken, and such questions be answered satisfactorily, and not contradicted successfully by the sworn testimony of other witnesses who may be called, it shall be the duty of the judges of election to admit the vote, having the word "sworn" noted opposite the party's name on the poll list.

SEC. 3. Any officers of said elections or any voter thereof, who shall violate any provisions of this act, and person or voter who shall offer any money reward, or promise for voting thereat, and any person wilfully making a false statement, on oath or affirmation, at any such election, shall be guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding five hundred dollars, and imprisonment not exceeding one year, or both.

SEC. 4. Any voluntary political association or party in said county may, by a vote of the Executive Committee thereof, elect to adopt the provisions of this act, or to submit the question of the adoption to a vote of the members of such political association or party; and a certificate of the vote of such Executive Committee, or the result of the vote of the members of such party, shall be duly certified and recorded in the office of the Recorder of Deeds of said county, who shall thereupon give notice by publication, that such political association or party has adopted said act; and thenceforth this act, and all the provisions thereof, shall have full power and effect in and upon such political association or party in said county; but no expense shall be incurred by the county or state in the conduct of elections under the provisions of this act.

APPENDIX "B."

RULES GOVERNING REPUBLICAN NOMINATIONS FOR CONGRESS, TWENTY-SIXTH
PENNSYLVANIA DISTRICT (CRAWFORD AND ERIE COUNTIES).

ADOPTED SEPTEMBER 29, 1887.

1. That the primary elections in both of said counties shall be held on the third Thursday of June of each year, when a nomination for Congress is to be made; the polls to be opened in the several voting places in the district at two o'clock p. m. of said day and kept open until 7 p. m. The committee would also recommend that the primary elections for the nominations for county officers be held on the day above named in both counties.

2. That the Republican electors of the district shall vote directly for the candidates of their choice without regard to location of candidates, who shall be announced according to the rules of the Republican party in their respective counties, and the tickets for Congress shall be separate tickets. The result of the vote so cast shall be taken by the return delegate of each election district to the respective county conventions, which shall meet on Friday, the day following said primary elections. Said county conventions shall canvass the votes cast in each county respectively and announce the result.

3. Each of said county conventions shall appoint three return delegates, who shall meet in the city of Corry, on the first Thursday after said county conventions are held, at eleven o'clock a. m., and shall aggregate the total vote cast in both of said counties for each candidate voted for at the primary elections, and the candidate having received the highest number of votes actually cast at the primary elections shall be the Republican candidate for Congress in this district.

4. The return delegates so appointed shall be the Republican Congressional Committee of this district until the making of the next succeeding congressional nomination, and shall attend to such duties as will best promote the success of the Republican candidate for Congress in this district. Said return delegates shall have power to settle all contests arising in connection with counting the votes as aforesaid, and in case there shall be a tie vote between the highest two or more candidates, the nomination shall be determined at the time of such meeting by such candidates drawing lots under supervision of said return delegates.

APPENDIX "C."

RULES* GOVERNING REPUBLICAN PRIMARY ELECTIONS IN THE CITY OF MEADVILLE.

1. The voters belonging to the Republican party in each ward shall meet on the day designated by the Republican City Committee at the usual place

* Drafted by a committee appointed at a public meeting of Republicans held February 5, 1888, and adopted by a vote of 497 to 41 at the primary election held February 14, 1888. The portions of sections 7 and 8 in *italic* and the whole of sections 9 and 10 constituted the amendments recommended by the City Committee and adopted by a vote of 534 to 127 at the primary election held January 10, 1895.

of holding elections, at four o'clock p. m., and proceed to elect one person for judge and two persons for clerks, who shall form a board of election to receive votes and determine who are proper persons to vote, and shall hold the polls open until eight o'clock p. m. After the polls are opened the candidates shall be balloted for. The name of each person voting shall be written on a list at the time of voting, and no person shall be allowed to vote more than once for each office. The ballots shall be numbered and the corresponding numbers written on the poll list opposite the names of the voters, and said poll lists and ballots shall be preserved and returned with the return of each district. Every person claiming to be a Republican who voted for the Republican candidate at the last preceding general election at which he voted, and declares his intention to support candidates nominated at such primary election, shall be entitled to vote, and every person challenged, or whose right to vote is doubted by any election officer, shall be sworn as to the qualifications aforesaid, and his oath shall be returned with the return of said district. Any person entitled to cast his first vote at the succeeding election shall be entitled to vote on pledging himself to support the ticket nominated at such primary election.

2. After the polls are closed the board shall proceed to count the votes that each candidate has received and make out the returns accordingly, to be certified to by the judge and attested by the clerks. It shall be the duty of the persons holding the primary elections, as soon as the count is completed in each ward, to make a public announcement of the result, and also to post upon the door of the election house a brief statement, signed by the election officers, showing the votes received by each candidate voted for at said election.

3. The judge (or one of the clerks appointed by the judge) of each district shall meet at the court house on the day following the primary meetings, at ten o'clock a. m., having the certified returns and a list of voters, and the person who shall have the highest number of votes for any office shall be declared the regular nominee of the Republican party.

4. Any two or more persons having an equal number of votes for the same office, the return judges shall proceed to cast lots for a choice, and the candidate on whom the lot shall fall shall be the nominee.

5. The convention of return judges shall have the power to reject all fraudulent votes from the return of any ward, and where frauds have been committed or allowed by the board of election, of such a nature and extent that it is impossible to determine the true vote of a ward, the convention may reject altogether the return from such a ward.

6. It shall be the duty of the chairman of the City Committee to issue a call for the primary meetings in pursuance of the action of the committee; to print and distribute blanks for returns, poll lists and oaths, as required by the foregoing rules.

7. The return judges shall constitute the City Committee for the ensuing year, and shall elect a chairman *and vice-chairman*, not of their own number, at the meeting held for canvassing the votes.

8. Announcements of candidates *shall* be made five days prior to the date fixed for the primaries *in at least one Republican daily newspaper of the city.*

9. In case a number of candidates, sufficient to complete the party ticket for all the offices for which nominations are to be made, shall not have announced themselves by the time designated and in accordance with the rules, the City Committee shall select and publicly announce, within three days prior to the primary election, one candidate for each office for which no candidate's announcement has been made.

10. It shall be the duty of the City Committee to have printed for each ward a string ticket bearing the names of all candidates to be voted for in the respective wards whose announcements have appeared in accordance with these rules, and to properly distribute the same among the prescribed polling places on the day of the primary election immediately prior to the opening of the polls.

APPENDIX "D."

RESULTS OF REPUBLICAN PRIMARY ELECTIONS UNDER THE CRAWFORD COUNTY SYSTEM, CRAWFORD COUNTY, PA., 1862-1900.

(NOTE—In the years not given there were no contests. The average of the 31 years is 72 per cent. of the voters who voted the Republican ticket at the general election, voted at the party primaries the same year.)

Year	Vote Polled at Primary.	Republican Vote Polled at General Election.	Per cent of Total Republican Vote Polled at Primary
1862	2,615	5,006	.52
1863	3,707	6,141	.61
1864	3,600	4,842	.74
1866	4,687	6,714	.70
1867	4,150	5,400	.77
1868	3,300	7,026	.47
1869	5,108	6,197	.82
1870	6,538	5,120	100
1871	3,625	5,170	.70
1872	4,254	7,274	.58
1873	3,574	4,158	.86
1874	2,911	4,638	.63
1875	4,718	6,041	.78
1876	4,577	7,337	.62
1877	3,391	5,767	.59
1878	5,759	6,222	.93
1880	4,854	6,770	.72
1881	4,404	4,990	.88
1882	3,433	5,112	.67
1884	5,726	7,343	.78

Year	Vote Polled at Primary.	Republican Vote Polled at General Election.	Per cent of Total Republican Vote Polled at Primary
1886	5,101	6,200	.82
1887	5,486	7,374	.74
1888	4,549	7,926	.58
1890	5,941	6,700	.89
1892	5,403	6,348	.85
1893	4,193	6,254	.67
1894	4,695	6,564	.72
1896	7,192	7,960	.90
1898	4,829	5,931	.81
1899	4,333	6,598	.66
1900	3,240	7,480	.44

APPENDIX "E."

RETURNS OF SIX REPUBLICAN PRIMARY ELECTIONS HELD UNDER THE CRAWFORD COUNTY SYSTEM, IN THE TWENTY-SIXTH PENNSYLVANIA DISTRICT, 1890-1900 (CRAWFORD AND ERIE COUNTIES), COMPARED WITH THE VOTE CAST AT THE SUBSEQUENT GENERAL ELECTION.

Year	Vote at Primary	Vote at General Election.	Percentage
1890	12,726	13,779	.92
1892	11,321	16,056	.70
1894	10,583	16,929	.62*
1896	16,045	19,603	.82
1898	12,884	13,747	.93
1900	12,112	19,481	.62*

APPENDIX "F."

BALLOT USED AT CRAWFORD COUNTY, PA., REPUBLICAN PRIMARIES,
MARCH 24, 1900.

For Congress.

Arthur L. Bates, Meadville.

For Assembly.

(VOTE FOR THREE.)

W. A. T. Andrews, East Fallowfield Township.

Willis B. Benedict, Titusville.

Charles P. Britton, South Shenango Township.

D. M. Calvin, East Fallowfield Township.

Clark D. Eckels, Cambridge Springs.

Frank P. Ray, Meadville.

A. L. Stevens, Pine Township.

D. W. Tryon, Spartansburg.

* No contests. Only one candidate at the primaries in 1894 and 1900.

For Jury Commissioner.

(VOTE FOR ONE.)

C. E. Cole, Cussewago Township.
James M. Daniels, Spring Township.
Benjamin Kaster, Wayne Township.
Thomas Maynard, Centreville.
D. W. Phillips, Rome Township.

For Delegates to National Convention.

(VOTE FOR TWO.)

Samuel B. Dick, Meadville.
J. F. Downing, Erie.

For Alternate Delegates to National Convention.

(VOTE FOR TWO.)

Charles Burgess, Titusville.
O. D. Van Camp, Girard.

For Delegates to State Convention.

(VOTE FOR FOUR.)

Wesley B. Best, Meadville.
A. L. Dunbar, Meadville.
George W. Horne, Titusville.
James H. Smith, Conneautville.

REPORT OF THE COMMITTEE ON INSTRUCTION IN MUNICIPAL GOVERNMENT IN AMERICAN COLLEGES.

At the Milwaukee meeting of the National Municipal League, held September, 1900, the following resolutions were adopted:

"Resolved, That the Chairman of the Executive Committee be authorized and empowered to appoint a committee, which may include members not members of the League, to ascertain the extent to which instruction in municipal government and its betterment is offered by American institutions of learning; and further

"Resolved, That this committee, when appointed, shall have authority to bring to the attention of college authorities the necessity of offering more extended instruction in these subjects."

In pursuance of the power vested in him, Charles J. Bonaparte, Esq., Chairman of the Executive Committee, appointed the following committee to carry out the foregoing resolutions:

Professor John H. Finley, Princeton University.

Dr. William H. Allen, University of Pennsylvania.

Dr. William F. McDowell, Secretary Methodist Board of Education, New York City.

Professor Charles Zeublin, University of Chicago.

President Thomas M. Drown, Lehigh University.

Dr. Robert C. Brooks, Cornell University.

Professor E. L. Bogart, Oberlin College.

Hon. Clinton Rogers Woodruff, Philadelphia, Pa.

This committee met for organization at the University Club, Philadelphia, on December 31, 1900. President Drown, of Lehigh University, was made chairman, and Dr. Allen, of the University of Pennsylvania, secretary. Professor John L. Stewart, of Lehigh University, and Dr. Kendrick C. Babcock, of the University of California, were added to the committee at subsequent meetings.

As a first step to further the objects for which the committee was appointed it was deemed necessary to ascertain with some

definiteness what was already being done in the colleges of the country in the way of instruction in municipal government, and it was decided to send out a circular letter of inquiry together with a blank form for answers to all universities and colleges having ten or more instructors. The list used for this purpose was the very complete and accurate one in the *World Almanac*. Following is a copy of this circular letter and its accompanying blank form:

DEAR SIR:—The enclosed circular will explain the nature of the inquiry in the prosecution of which we are soliciting your co-operation. The committee for which I am writing was appointed at the Milwaukee meeting of the National Municipal League in September, 1900. Our purpose is to ascertain the extent to which instruction is at the present time being given by American colleges and universities in municipal government and its betterment. It is desired to have a report prepared for the Rochester Conference, which is to be held in May. Commissioner Harris, of the United States Bureau of Education, has also expressed an interest in the investigation, and a desire to incorporate our report in his annual bulletin. In order to expedite the inquiry, we are sending to college presidents the accompanying set of questions, with the request that they will have the answers made out as complete as possible and returned at the earliest possible date.

We should be very glad to have you add further information indicating, if you will, the extent to which courses are devoted to actual conditions as well as to theory, form and organization of municipal government. In order that the investigation may be mutually beneficial, a copy of the report of the committee will be distributed among our correspondents.

Trusting that you will be able to comply with our request, and that you will feel free to make any suggestions which will enhance the value of our investigation, I am,

Very truly yours,

WILLIAM H. ALLEN,
Secretary of the Committee.

Dr. William H. Allen, University of Pennsylvania, Philadelphia.

DEAR SIR:—Herewith please find answers to the personal letter of inquiry sent out by the Committee of the National Municipal League on Instruction in Municipal Government and its Betterment.

Name and title of informant

Department

Name of Institution

Average Number of Students

There is (not) a distinct department of political science.

Instruction in political science is given by the Department of Political Science, (or) Economics, (or) History, or

There are undergraduate courses in Political Science.

There are undergraduate courses in American Government.

There are undergraduate courses in Municipal Government.

The undergraduate courses in American Government are hereafter enumerated or indicated by enclosures from the catalogue.

The undergraduate courses in Municipal Government are hereafter enumerated or indicated by enclosures from the catalogue.

Text-books are (not) used in Municipal Government, namely,
General Remarks and Suggestions:

The total number of these letters sent out was 357, and the committee feels much gratified with the cordial responses it has received, and the general willingness expressed to co-operate with the committee in furthering its object. The number of replies was 222, or 62 per cent, and they may be said to represent fairly the situation in all sections of the country.

Difficulty was found in answering some of the questions briefly and at the same time satisfactorily owing to the classification in the blank not always corresponding accurately to the courses given in the colleges. The titles of those courses which cover ground in Political Science, American Government and Municipal Governments are numerous and are not always easily classified under any of these heads. Some of these titles are: General Government, Civil Government, Modern Government, the Government of Modern States, Theory of the State, Constitutional Law, American Constitutional Law, Finance, Economics, Civics, Political History, American Politics, Political and Constitutional History of the United States, Principles of Government and State Activity, Principles of Government in the United States, Comparative Politics, Political Institutions, Industrial Society, Sociology, Social Economics, Social and Municipal Institutions, Municipal Administration, Municipal Problems and many more. Some conservative teachers have modestly recorded no courses in political science, American government or municipal government unless the courses were fully thus described, while others, doubtless, have recorded courses which only partially corresponded to this classification. In this digest of the results, it is impossible to present all the descriptions and explanations of the courses of

instruction which have been received, but an effort has been made to extract from all the replies a fair estimate of the amount and kind of instruction given in American colleges in the subjects under consideration.

The results have been classified in five divisions:

1. The New England States.
2. The Middle States including Maryland and District of Columbia.
3. The Southern States—Virginia, West Virginia, North Carolina, South Carolina, Georgia, Tennessee, Kentucky, Missouri, Arkansas, Alabama, Mississippi, Texas, Florida.
4. The Western States—Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa.
5. The Far Western States—Kansas, Oklahoma, Nebraska, Utah, North Dakota, South Dakota, Arizona, Colorado, Idaho, Montana, Wyoming, Washington, Oregon, California.

Replies were received from all states except Delaware, Vermont and Mississippi. Of the 222 colleges heard from 42, or 19 per cent, report distinct undergraduate courses more or less extended in Municipal Government. It should not be overlooked in this connection that in colleges having graduate courses leading to advanced degrees the separation of these from undergraduate courses is not always sharply made. Of the 20 New England colleges only five, or 25 per cent, report courses in Municipal Government, and yet from supplementary statements it is evident that many of this group of colleges treat of the subject of Municipal Government under Sociology, Social Science and other titles to an extent which entitles them to credit for instruction in this subject far beyond what the bald numerical statement would indicate. Of the 41 colleges in the second group of Middle States, including Maryland and the District of Columbia, 11 report separate courses in Municipal Government, or nearly 27 per cent. Here again seven colleges which have no courses with that title say that much instruction in Municipal Government comes incidentally under other courses. Of the 59 colleges in the Southern group, six only report courses in Municipal Government, or ten per cent, and nine say that some attention is given to the subject incidentally. Of the 67 colleges in the Western

group (mostly east of the Mississippi), 12 report courses in Municipal Government, or 18 per cent, and 16 say that the subject receives incidental attention. Of the 35 colleges in the group west of the Mississippi, eight report courses in Municipal Government, or nearly 23 per cent, and eight indicate incidental treatment of the subject.

It is questionable whether it would be profitable in the present discussion to make an analysis of the statements reported with reference to the courses in Political Science and American Government. In general it may be said that of the 222 colleges responding to the circular letter, 174 reported courses in Political Science, or over 78 per cent; and 130 in American Government, or nearly 59 per cent. As was before said, many of the college presidents and professors in replying said that they found it very difficult to arrange their courses under these heads.

The answers to the question as to the department under which Municipal Government is taught were very various. Many of the smaller colleges have but one department and instructor to cover Political Science, Economics, History, Philosophy, and Ethics. Only 16 colleges report a separate department of Political Science. The instruction in this subject in the other colleges is given as follows: In the Department of Economics, 27; Economics and Political Science, seven; Economics and Sociology, eight; Economics and History, 31; History, 32; History and Sociology, three; History and Political Science, 26; Department of Philosophy, five; Ethics, one; Department of Public Law and Administration, one; International Law and Civil Government one.

As to the question regarding text-books, very few replies were received. Some of those replying deplored the absence of good text-books, and some stated that periodical literature was mainly relied on. Following are the titles of some of the books mentioned by the different writers; the majority of them obviously cannot be classed as text-books but rather as general literature bearing on the subject of Municipal Government:

Wilcox—Introduction to the Study of City Government.

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- Goodnow—Municipal Problems.
Municipal Home Rule.
Comparative Administrative Law.
- Shaw—Municipal Government in Great Britain.
Municipal Government in Continental Europe.
- Weber—Growth of Cities.
- Woodrow Wilson—The State.
- Bryce—The American Commonwealth.
- Fiske—City Government.
- Young—Text Book of Governmental Law.
- Conklin—City Government in the United States.
- Daniels—Public Finance.
- Adams—Finance.
- Seligman—Essays on Taxation.
- The National Municipal League—A Municipal Program.
- Hinsdale—American Government.
- Dole—American Citizen.
- Macy—Our Government.
- Fairchild—Rural Wealth and Welfare.
- Thompson—Political Economy.
- Eaton—Municipal Government.
- Laughlin—Political Economy.
- Small & Vincent—Introduction to the Study of Society.
- Wright—Practical Sociology.
- Bemis—Municipal Monopolies.
- Professor Samuel E. Sparling, of the School of Economics and Political Science in the University of Wisconsin, makes this interesting communication :

“In addition to the work of instruction, I have charge of the work of the League of Wisconsin Municipalities, which is in a flourishing condition. Our League publishes an organ—THE MUNICIPALITY—a copy of which I send you. This is in reality conducted as an educational movement, and goes to every city officer of the State outside of Milwaukee, and we are now extending it to the town and county officers. In order to assist me in publishing the magazine, the League has founded a Scholarship in Municipal Government, which has now been running for three years.”

It may be mentioned in this connection that Professor Sparling is an alderman in Madison, as well as Secretary of the League.

Professor Zeublin, Associate Professor of Sociology in the University of Chicago, a member of the committee who has not been able to attend its meeting, says, under "General Remarks and Suggestions":

Let me make the suggestions here which I have not been previously able to make to the committee.

Courses should be given on Municipal Sociology and Municipal Economics, including special investigations by the different universities, with a view to co-ordinating the results.

Comparative Municipal Government needs special emphasis.

Local Municipal Histories may be compiled at the different educational centres.

The Functions of Boards and Commissions, and their proper place in municipal government, need investigation. Such allied subjects as Municipal Sanitation and Municipal Art deserve encouragement.

From a careful consideration of all the facts received from our correspondents and from the many remarks and suggestions accompanying these facts, it is clear to the members of the committee that there is an earnest desire on the part of many of the teachers in the smaller colleges to do more in the line of instruction in Municipal Government. The great obstacles in the way are lack of teaching force, lack of literature, lack of money. Your committee recognizing these limitations in the case of so many of our American colleges recommends that the League offers its assistance to all colleges desiring it in the way of suggesting subjects for consideration in teaching the subject of Municipal Government, in supplying them with a bibliography of books and articles bearing on the subject and also in sending to the libraries of those colleges asking for it the Annual Proceedings of the League.

It is recommended as a beginning in this line that to all colleges from which replies have been received, a copy of this Report be sent, together with the accompanying Preliminary Reports of the two sub-committees on Bibliography and Syllabi, and Text-Books. It is further recommended that the presidents and faculties of the various colleges be informed that they may apply to the Secretary of the League for information with regard to books and articles in periodical literature relating to special topics and that inquiries will meet with prompt and cheerful attention.

It is clear to this committee that the colleges need no urging on the part of the League to introduce courses in Municipal Government into their curricula, and that they would gladly welcome assistance in this work. Your committee believes that the resources of the League, academic as well as financial, could not be better used than in providing for sound instruction of the young men of our colleges in Municipal Government and its Betterment.

It is hoped that a strong public sentiment will be stimulated to further the work of the colleges in the suitable preparation of young men for the duties of citizenship by liberal contributions for the support of chairs of instruction in the subjects of general, state, and municipal government.

Respectfully submitted,

THOMAS M. DROWN,
Chairman of Committee.

UNIVERSITY INSTRUCTION IN MUNICIPAL GOVERNMENT.

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The necessity for university instruction in municipal affairs has received tardy recognition in most modern countries. When in 1894 the first American lectureship on municipal government was established at the University of Pennsylvania, under the direction of Professor L. S. Rowe, the subject had been treated in only a few books on government and was generally regarded as an unknown and forbidden field. The consensus of opinion at that time was admirably summed up in Mr. Bryce's well-known sentence, "The government of cities is the one conspicuous failure of the United States." Nor is the subject given that attention even at the present time which its importance warrants. The statistical results contained in the valuable and interesting report of the committee are somewhat flattering. The distinguished chairman of the committee has pointed out that many colleges returned answers stating that they had separate courses on municipal government when there was reason to suspect that the expression "course in municipal government" had been most liberally used. Yet separate courses dealing with municipal affairs are necessary if we are to secure for the subject a fair and adequate share of public attention. At the present time the various studies which make up the college curriculum are in a state of keen competition with each other and so long as we are content to see city conditions discussed incidentally as a subordinate part of a general course on government, we need expect no great development of municipal studies. What is most needed at present is the endowment of special chairs or lectureships on this subject.

When we consider the proportion of political, administrative,

economic and social questions which have their foundation in city life, and which are inextricably bound up with distinctly urban conditions, it must be confessed that the relative importance of courses upon municipal affairs has not been realized. Let us take for example half a dozen modern questions at random in the fields named, questions which are in the forefront of public discussion at the present time, such as public charities, public health, transportation, or the various questions which are gathered together under the labor problem. Here we have philanthropy, administrative organization, medical science and general economics all represented, yet each one of the questions named arises from, and must find its solution in a distinctively urban environment. We have courses in sociology in nearly all our colleges and universities, courses in economics, in government and administration and in finance. Why not devote at least one special and distinct course to that set of conditions which lies at the foundation of so many of the problems dealt with under the other departments.

A second thought suggested by the returns from our colleges in answer to the committee's circular is that we have devoted our attention too exclusively to government, to mere administrative machinery. We have divorced the mechanism of city government too much from the social and economic conditions underlying it and have given too little study to the fundamental aspects of municipal life. In our anxiety to learn the details of municipal administration, we are in danger of neglecting the objects of administration. Is it conceivable that any one should study intelligently all the intricate parts of a machine without first understanding clearly the purpose for which it is used? Should we not lay special emphasis upon the peculiar conditions of modern city life, even at the risk of neglecting the description of some detail of administrative machinery?

To be more explicit in the statement of our present tendency, it may be said that we lay great emphasis upon the central fact in modern municipal organization—the concentration of power in the hands of the mayor. We mention in passing that this is caused by the demand for a more definite responsibility and then we proceed to the detailed study of this peculiar system of organi-

zation. But on examination it must be evident that this concentration of power is intimately bound up with certain fundamental conditions of modern urban life. We find that every organization, whether it be church or sporting club, requires a certain fund of energy to run the machinery of its government. If all the members can contribute a small amount of energy and attention the governmental power is divided rather evenly among the members. If anything occurs to diminish the available quota of time given by each member, then a concentration of power in the hands of a few is inevitable. The less the interest of members, the greater the concentration of power necessary. Furthermore, the amount of power devolving upon the association influences directly the degree of concentration in the government. If the functions are comparatively limited the government is likely to be democratic in substance; but if the powers increase to such an extent as to make it impossible for the individual members to carry on or supervise directly the business of the organization, the concentration of power in the hands of the few again results.

Now these principles are seen in the operation of business corporations, clubs and associations as well as in political governments of whatever description. If anything occurs to diminish the amount of time which citizens will spend upon city government, or to increase the functions of the city beyond the control of its citizens we may expect a concentration of power. It is, therefore, of the highest importance in studying municipal government to consider not alone the fact of concentration but to discover what the conditions are which attract the citizen's attention away from politics and lessen his interest in governmental affairs. If these forces be permanent in their character, then we may expect a permanent change in the organization of our governments. If the forces are only temporary, then we may diagnose the conditions with entirely different results.

Another example of the exclusive attention paid to the mere machinery of municipal government is seen in our discussions of Municipal Home Rule. The question of how far our cities should be controlled by the state administration is a highly complex one. It involves the additional inquiry, Which branches of city government should be subject to state control? Should it be the

schools, the police, the health bureau, the franchise-granting power, the finances, the method of accounting, the street-paving or the elections? In nearly all of these we already have state legislation but the question is, shall state administrative officials supervise the city's activity along these lines? The solution of this problem can only be secured after a most careful examination of the influence which the city exerts upon the state at large. In the measure that the education, the health and the crime of the city reach out beyond the municipal limits and directly affect the conditions of the surrounding country, just in the same measure should the state administration be in a position to control city conditions or to hold the city authorities up to a fixed standard of efficiency. In the arrangement of our municipal studies we should, therefore, pay particular attention to the powerful, one might almost say the controlling, influence exerted by the city upon the state as a whole. Every agency of city influence, whether it be a suburban trolley road or a daily newspaper should be carefully studied in its relation to this question. We shall then be in a position to consider intelligently the arrangement of administrative machinery best adapted for state control.

In brief, we should devote more and more study to those peculiar economic conditions in our cities which so directly influence the thought of the people respecting government. In this connection it is highly important for such an organization as the National Municipal League to encourage by every means in its power the investigation of the economic basis of political reform movements, of those underlying conditions which cause municipal reforms to succeed or fail. We have passed beyond the stage where we might be satisfied with the explanation that such and such a movement could or could not secure enough votes to succeed, or that such and such a man led the movement in one case and did not in another. We are slowly coming to the conclusion that there are certain definite circumstances under which nearly every movement for change and improvement is bound to fail; that there are other conditions of an economic character which lead very rapidly to the formation of a distinct municipal patriotism. It is this side of municipal life which has perhaps been neglected hitherto and which, notwithstanding, offers the most fruitful field for investigation at the present time.

In order to avoid innocuous generalities, let us outline more particularly the relation between what have here been called the primary, fundamental conditions of urban life and the general progress of municipal government. To begin with, the central fact of urban life is the physical phenomenon of a dense population. Whether we call this propinquity or physical contiguity, or what not, we find that it is the starting point of all distinctively urban influences. It is caused by commerce and manufactures, as has been so admirably shown by Mr. A. F. Weber in his valuable book on the "Growth of Cities." From this density of population, from the frequent contact of man with man, there results first of all contagion,—contagion of disease, contagion of thought. If we contrast the rural with the urban environment, it is seen that the rural is, by reason of the lack of frequent contact, perhaps more favorable to independent meditation, reflection or generation of thought, whereas the communication of thought is most easily executed in the urban environment. Again, the frequent contact with a dense population produces a quick, nervous temperament. Conditions are not only more favorable in a general way to the communication of thought, but even under similar conditions, thought is, by reason of our greater nervousness, more rapidly and habitually communicated in the city than in the country. There arises a new psychic type of human being, possessing a much greater susceptibility to influence from other human beings, nervous, impatient, irritable, at times almost ecstatic or hysterical, one who depends for stimulus habitually upon his social surroundings. The impatience, the nervousness, the irritability of the urbanite explain, at least in part, the violence, the intolerance, the periodicity, the temporary character of anti-vice crusades and reform movements generally. These facts also explain why that gigantic turning of the world upon its mental axis, which we call the social movement, has taken place primarily in the cities. If man is a social animal the urban man is a socialistic animal. To the destiny of population and the frequent contact of individuals we must also trace the rapid development of modern reform movements of all kinds and the growth of liberty in the fifteenth, sixteenth and seventeenth centuries as a pre-eminent commercial or city phenomenon, in which the cities bought

and paid cash for their liberty, while the country districts were yet unacquainted with the word. In the face of this immense field for the investigation of the primary conditions of city life it seems almost like a travesty upon teaching to direct our attention exclusively to the mere mechanism of city government.

Finally, the report brings to mind the necessity of encouraging independent research in municipal questions by affording an opportunity for immediate publication to such writings as are meritorious in character. There should be a considerable fund devoted to the publication of valuable monographs in this field and no organization is better adapted to the establishment of such a fund than the National Municipal League. Such a set of publications would probably be more widely read and more easily supported financially than any other printed matter now dealing with political or social science.

To sum up briefly the conclusions suggested by the valuable report of the committee on Instruction in Municipal Government, it should be said, first, respecting the substance of instruction, that more attention ought to be paid to

- (a) Causes of municipal growth,
- (b) Analysis of urban psychology,
- (c) Urban social conditions,
- (d) Urban economics.

Second, with respect to the method of instruction, it appears desirable, wherever possible, to recognize the great importance of municipal questions by establishing separate courses of instruction in the subject. To this end an organized effort should be made to

(a) Endow separate chairs or lectureships in municipal or urban science,

(b) Establish some general publication fund for the encouragement of a series of monographs upon special subjects dealing with urban conditions,

(c) The National Municipal League should seek, through the activities of its various committees, to establish and maintain a standard of instruction throughout the country, and should encourage and guide the investigations of students into the most profitable fields of research.

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OUTLINE OF COURSE ON MUNICIPAL GOVERNMENT AND INSTITUTIONS OFFERED AT THE UNIVERSITY OF PENNSYLVANIA.

BY PROF. L. S. ROWE.

PART I.

THE PROBLEM OF MUNICIPAL GOVERNMENT.

The important social and political problems of modern times are essentially urban problems.

The law of social adaptation as applied to city life.

The possibility of developing

1. New social qualities in the urban population.
2. A new city environment.

Reaction of the city environment on the population.

The municipal problem—a social as well as a governmental problem.

PART II.

THE CITY IN HISTORY.

1. *The City in the Civilization of Greece and Rome.*

- (a) Primitive society. The ties of the village group.
- (b) Forces determining the formation of larger groups
 1. Common defence.
 2. Common worship.
 3. Social evolution of Athens.
- (c) The political unit—The "City-State."
- (d) Origin of cities of Attica and Italy.
- (e) Athens.
 1. Early form of government.
 2. Transition to aristocracy.
 3. Social evolution of Athens.
 4. Laws of Solon.
 5. Athenian democracy.
 6. Concept of the city in Plato and Aristotle.

- (f) Rome.
 1. Early form of government.
 2. Development of republican institutions.
 3. Character and spirit of the Roman Law. Influence on political institutions.
- (g) The points of weakness in the political institutions of Athens and Rome.
- 2. *The Mediæval Towns.*
 - (a) The four stages of political development—village, town, territory and state. Schmoller, "The Mercantile System."
 - (b) The rise of the mediæval towns. Source of charter privileges. Character of privileges. Use of privileges. Mrs. J. R. Green, "Town Life in the Fifteenth Century." Ashley, "Economic History."
 - (c) Town institutions. The early democracy. Relation between guild organization and town government. Functions of town authorities mainly commercial and industrial. Mrs. J. R. Green, "Town Life in the Fifteenth Century." Stubbs, "Constitutional History of England."
 - (d) Decay of town institutions. Transition from democracy to oligarchy due to
 1. Increasing strength of guilds. Tendency to exclusiveness.
 2. Growing power of central government and subordination of local divisions thereto.
 3. The corporate concept in the private law. Its effect on the legal status of the town. Development of the close corporate form. Sudden transition from city to state economy in England under the Tudors. Influence of Henry VIII. and Wolsey.
 - (e) Conditions of the towns of England, Germany and France during the fifteenth and seventeenth centuries. Contrast between mediæval town and modern city. Frederic Harrison, "The Mediæval City" in "Meaning of History."
- 3. *Economic, Social and Political Changes Accompanying the Rise of the Modern City.*
 - (a) Economic and social changes.
 1. Factory system supplants house industry. The nature of the industrial revolution.
 2. Influence upon the movement of population.
 - (a) Growth of population.
 - (b) Distribution of population.
 - (c) Decline of rural population.
 3. Migration of rural population into cities.
 - (a) The movement from the country districts into the cities.
 1. Agricultural machinery.
 2. The land system.
 3. Possibility of profit in agriculture.

4. Uniformity and monotony of country life.
 5. Industrial concentration.
 6. Improved means of communication destroys small distributing centres.
 7. Greater variety of economic possibilities in cities.
 8. Educational advantages and educational influence.
 9. Excitement and pleasures of city life.
 10. Universal military service.
- (b) Dangers of the movement.
1. Possible loss to national life due to the lack of a vigorous agricultural population.
 2. Influence upon the physical and moral fibre of the population in which the distinctive "city qualities" have been developed.
- (c) Advantages of the movement.
1. The development of new qualities in the population.
 2. Higher forms of co-operation and association only possible in cities.
 3. Possibility of combining advantages of rural life with city conditions.
4. Separation of producer from consumer. Individual control inadequate. Corporate control becomes necessary.
5. Influence of the rising standard of life upon city conditions. Its relation to the "*Laissez-faire*" policy.
- (b) Political changes.
1. Relation of the public authority to individual activity under the changed conditions.
 2. Modification of the concept of individual liberty due to the peculiar conditions of city life.

PART III.

THE MUNICIPALITY IN THE POLITICAL SYSTEMS OF EUROPE AND THE UNITED STATES.

1. *Private and Public Corporations in the United States.*

(a) The corporate idea—legal personification of collectivity.

Chief Justice Marshall in *Dartmouth College Case*—"A corporation is an artificial being, invisible, intangible and existing only in contemplation of law."

Angell and Ames on "Corporations"—"A corporation is a body created by law, composed of individuals united under a common name, the members of which succeed each other, so that the body continues the same, notwithstanding the change of the individuals who compose it; and is, for certain purposes, considered as a natural person."

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- (b) Reasons for and advantages of incorporation.
 1. Collective rights and liabilities.
 2. Limited liability.
 3. Restricted agency.
 4. Ready transferability.
 5. Continuity of existence.
 - (c) Public corporations.
 1. Public quasi-corporations; agencies of state in administration of civil government.
See *Ten Eyck vs. Canal Co.*, 18 N. J. L. 200.
See *Hamilton Co. vs. Mighels*, 7 Ohio 109.
 2. Municipal corporations. See *People vs. Morris*, 13 Wendell 325.
 - (a) Agency of state.
 - (b) Chiefly for local purposes.
 - (c) Private character.
 - (d) Generally created at solicitation of inhabitants.
 3. Quasi-public corporations; private corporations whose activity is effected with a distinct public interest.
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 - (a) Position in our Constitutional system.
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 - (b) Powers of municipality.
 1. Those granted in express terms.
 2. Those necessarily or fairly implied in or incident to the powers expressly granted.
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Rules of interpretation; extension of private law concepts to public law. Goodnow, "Municipal Home Rule," Chapter IV: "Municipal Problems," Chapter III.
 - (c) Relation of the municipality to the state. Legislative interference. Goodnow, "Municipal Problems," Chapter II.
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3. Effects of legislative interference.
4. Remedial methods adopted in various states. Constitutional restrictions. Goodnow, "Municipal Home Rule," Chapter V.
 - (a) Forbidding special incorporation and providing for general acts. Meaning placed by courts on term "*special*." Goodnow, "Municipal Problems," Chapter IV.
 - (b) Forbidding local and special legislation. Evasion by classification.
 - (c) Forbidding special acts regulating the internal affairs of municipalities.
 - (d) Assuring to municipalities the right to elect local officers.
 - (e) Assuring to cities the right to frame charters.
5. Remedies suggested:
 1. Subdivision of states.
 2. Further development of right to frame charters.
 3. General delegation of powers.
 4. Recognition in legislation of distinction between State and local functions.
 5. Administrative instead of legislative control. Goodnow, "Municipal Problems," Chapters V and VI. Illustrations from experience of England and Germany. Goodnow, "Municipal Home Rule," Chapter XII.
- (d) General conclusions.
 1. Legislation and charters of municipalities subject to State and Federal restrictions. Consequent complexity and uncertainty.
 2. Dependence of position of American political institution on attitude of courts.
 3. Development of the public law relating to municipalities.
 1. As to their nature; departure from private law.
 2. As to powers; adherence thereto.
 4. Development of private law; relation to public activity.
 1. Franchises to private corporations; a contract.
 2. Eminent domain.
 5. Effect of historical development on American local institutions.
 1. In Europe; cities as social units.
 2. In United States; prior existence of states.
 6. Effect of transplanting English local institutions of eighteenth century to American soil.

PART IV.

THE SYSTEM OF MUNICIPAL GOVERNMENT IN ENGLAND, GERMANY AND FRANCE.

1. The English System. Condition of town government prior to Reform Acts of 1832 and 1835. Act of 1835. Act of 1884. Sir H. Somers Vine, "English Municipalities."

2. Urban Conditions in the Counties Yorkshire and Lancashire. Acts of 1875, 1888 and 1894.
3. The German System. Principles of the Stein-Hardenberg reforms. Their development through subsequent legislation. The *Städteordnungen*. Shaw, "Municipal Government in Continental Europe."
4. The French System. Napoleonic legislation. Effects on French local institutions. Tendency of subsequent legislation.

PART V.

MUNICIPAL GOVERNMENT IN THE UNITED STATES.

1. The Application of American Political Ideas to the Municipal Problem.
 - (a) The bi-cameral legislature.
 - (b) District representation.
 - (c) Universal suffrage.
 - (d) Elective principle as applied to municipal offices.
 - (e) Political parties in municipal affairs.

PART VI.

THE FORM OF MUNICIPAL GOVERNMENT IN THE UNITED STATES.

1. The Government of the Smaller Cities.
Members of class to examine and report on the municipal corporation acts of typical States, viz.:

New York,
Pennsylvania,
Massachusetts,
Illinois,
South Carolina,
Missouri,
California,
Washington.

Acts to be examined with reference to the following points:

Mayor—

1. Qualifications, tenure.
2. Powers of appointment.
3. Powers of removal.
4. Veto power in legislation.

Legislative—

1. One or two branches.
2. Composition of each.
3. Powers of each in legislation.
4. Powers of appointment.
5. Powers as to contracts.

6. Powers as to franchises.
7. Powers over expenditure.

Municipal Departments—

1. Number of departments.
2. Method of selection of heads thereof.
3. Tenure of office.
4. Organization of educational department.

Commissions—

1. Mention any state commissions where such exist. Their function and powers.
2. Organization of the Great Cities.
 - (a) The Metropolitan City. Goodnow, "Municipal Problems," Chapter XI.
 - (b) Members of the class to report on
New York,
Philadelphia,
Brooklyn,
Chicago.
 - (c) Comparisons with
 1. London.
 2. Paris.
 3. Berlin.

PART VII.

ACTIVITIES OF THE LARGER CITIES OF ENGLAND, FRANCE, GERMANY AND THE UNITED STATES.

1. Relation of the municipality to quasi-public services.
 - (a) Gas.
 - (b) Water.
 - (c) Electric lighting.
2. Relation of the municipality to public transportation.
 - (a) Municipal ownership of street railway lines and rolling stock.
 - (b) Municipal ownership of railway lines.
 - (c) Private ownership of lines and rolling stock.
3. Relation of the municipality to social problems.
 - (a) The slum problem. Improvement schemes in cities of Great Britain.
 - (b) Housing of the working classes.
 - (c) Lodging houses.
 - (d) Bath and wash-houses.
 - (e) Pawnshops.
 - (f) Parks and playgrounds.
 - (g) Markets.
 - (h) Abattoirs.

OUTLINE OF COURSE ON MUNICIPAL GOVERNMENT IN EUROPE AND THE UNITED STATES OFFERED AT CORNELL UNIVERSITY.

BY PROFESSOR ROBERT C. BROOKS.

[NOTE.—The purpose of the following course was, first (see B below), to familiarize students with the forms and methods of municipal government in the principal European countries and the United States, municipal history being gone into only sufficiently to explain the evolution of existing conditions; second, to lead them to apply the information obtained from this historical and comparative study in the solution of the principal problems, governmental, financial and social, presented by American cities to-day (see C, D and E below).]

A. INTRODUCTORY AND GENERAL CONSIDERATIONS.

1. Definitions.
2. Reasons for separate study of municipal government.
 - (a) Importance of local government generally.
 - (b) Growth of cities under modern economic conditions.
 - (c) Novelty of problems presented by modern cities.
 - (d) Inefficient and corrupt government in some American cities.
3. Discussion of phrase "City Government is Business, not Politics."
4. Introduction to literature of subject. Bibliographies, principal books and magazines, municipal and other official reports and documents.

B. HISTORICAL AND COMPARATIVE STUDY OF MUNICIPAL INSTITUTIONS.

1. The United States. History of municipal institutions in England to end of seventeenth century, continuing with their development in this country to the present time. Organization of a number of typical American cities.*
2. England. History continued from the end of the seventeenth century to the present time. Typical organization of modern English municipality. (A special study was made of London.)

* At this point each student was required to choose some one American city, preferably the one in which he expected to make his future residence, and to work up its municipal history, form of government, etc., in a series of essays following the general outline of the whole course.

3. Prussia. History. Present form of organization. The other states of the German Empire and Austria were studied in connection with Prussia.
4. France. History. Present form of organization. Special study of Paris. Belgium, Holland, Spain and Italy were studied in connection with France.
5. Switzerland. History. Present form of organization.

C. REFORMS PROPOSED IN AMERICAN CITY GOVERNMENT.

1. General. Lack of uniformity in the United States. Codification. Unity.
2. Sphere of municipal government. Relation of city and state. Home rule for cities. Supervision by state administrative boards.
3. The mayor. "The Brooklyn Theory." Powers, terms, salaries, qualifications of mayors.
4. The council. Single or double chambers. Powers, terms, salaries, qualifications of councilmen. Advisory boards.
5. Administrative departments. Number, functions, relations to each other, unity of action, etc.
6. City judiciary.
7. Civil service in cities. Voluntary service of cities.
8. Electoral reforms. Limitation of suffrage. Division of city into districts. Primary and ballot reform. Proportional representation. Referendum and initiative. Separate municipal elections. Bossism and the foreign element in politics. Venal voting.
9. Reform movements and methods, including a study of the organization and work of the National Municipal League, Reform Club, League of American Municipalities, Good Government Clubs and local reform organizations of all sorts. Special attention given to the work of the Citizens' Union in the New York City campaign of 1897.

D. ECONOMIC AND FINANCIAL CONDITIONS AND REFORMS.

- I. General municipal finance.
 1. Organization of Municipal Finance Departments.
 2. Income of cities in Europe and America. Taxes. Single tax in cities. Octrois, special assessments, licenses, franchises, city property, etc.
 3. Expenditures. Amount. Limitations upon expenditures. State supervision of expenditures.
 4. Debts of cities. Debt limitations. Bond issues. Credit of cities.
- II. Special discussion of the question of municipal control and ownership of water works, lighting plants, transportation facilities, etc., from the financial standpoint.

E. SOCIAL CONDITIONS AND SOCIAL REFORM IN CITIES.

1. Place of the city in modern civilization. General tendencies and remedies.
2. Health.
 - (a) Housing conditions.
 - (b) Sewerage and sewage disposal, street cleaning, public baths, lavatories, wash-houses, public comfort stations. (See also under "Recreation" below.)
3. Education and Religion.
 - (a) Schools, libraries, free lecture courses, etc.
 - (b) Churches and religious conditions of cities.
 - (c) University, college and social settlements.
4. Charities.
 - (a) Hospitals, asylums and other charitable institutions in cities.
 - (b) Child problem in cities.
 - (c) Unemployment.
5. Recreation.
 - (a) Parks, playgrounds and open spaces in cities.
 - (b) Recreation piers, free concerts, municipal theatres and opera houses.
6. Public Morals.
 - (a) Liquor problem in cities.
 - (b) Prostitution, gambling.

MUNICIPAL GOVERNMENT IN THE UNITED STATES.

The following "Plan and Scope of the City," prepared by the Hon. Clinton Rogers Woodruff, is a logical analysis of the subject considered as the outgrowth of the political, economic and social conditions of city life, and has been prepared not as a syllabus for a course of instruction or lectures, but solely to afford a suggestive outline for the study of the question.

I. THE CITY AND THE NATIONAL GOVERNMENT.

1. *The Harbor.*
 - (a) Harbor Improvements.
 - (b) Imports and Exports.
2. *The Post Office.*
 - (a) The Post Office and Its Employees.
 - (b) The Post Office and City Politics.
 - (c) The Post Office and the Business of the City.
 - (d) The Post Office and Insurance, Saving Institutions.
3. *National Legislation Relating to the City.*
4. *Federal Jurisdiction.*
5. *City and National Politics. Elections.*
6. *The Position of the City in Times of National Crisis.*
7. *National Banks.*

II. THE CITY AND THE STATE GOVERNMENT.

1. *The State Constitution and the City.*
2. *Legislation Relating to the City.*
3. *Taxation.*
4. *State Aid to City Institutions.*
5. *State and City Politics.*

III. ORGANIZATION OF THE CITY GOVERNMENT.

1. *History of Charters.*
2. *History of the Departments.*
3. *Relation of the Departments to Each Other.*
4. *Civil Service.*
5. *Mode of Nominating and Election.*
6. *The Position of the City Official in the Community; His Duties and Privileges.*
7. *Salaries of City Officials.*

IV. THE FINANCES OF THE CITY.**1. Revenue.**

- (a) History of the Taxes.
- (b) Their Assortment and Distribution.
- (c) Taxing Power of the City.
- (d) Which Part of the Voting Population Pays the Taxes?
- (e) Licenses and Fees.
- (f) Property.
- (g) Public Works.

2. Expenditures.

- (a) Current Expenses.
- (b) For Public Improvement in Different Parts of the City.
- (c) Proportion of Expenditures to Classes and Population.

3. History of City Debt and Property.**4. Municipal Bookkeeping.****5. The City and the Banks.****V. THE CITY AND THE ECONOMIC QUESTION.****1. The City as a Producer.**

- (a) Natural Conditions, Soil, Climate, Situation, etc.
- (b) The Manufacture of Gas and Electricity.
- (c) The Supply of Water.
- (d) The Construction of Public Buildings.
- (e) The City and the Laborers.
- (f) The City and the National Foreign Market.

2. The City as a Consumer.

- (a) Contracts.
- (b) Prices.

3. The City and Transportation.

- (a) The Highways.
- (b) Paving, Repairing and Cleaning of Streets.
- (c) Bridges.
- (d) Railroads.
- (e) Navigation.
- (f) Street Cars.
- (g) Docks and Ferries.

VI. THE CITY AND THE SOCIAL QUESTION.**1. Public Health.**

- (a) Sanitary Legislation.
- (b) House Inspection.
- (c) Food Inspection.
- (d) Nuisances and Epidemics.

- (e) Public Baths.
- (f) Public Parks.
- (g) Vital Statistics and Public Hygiene.

2. *Charity and Penology.*

- (a) The Care for the Sick.
- (b) The Care for the Old.
- (c) The Care for the Orphans and Children.
- (d) The Care for the Deaf and Dumb.
- (e) The Care for the Poor.
- (f) The Care for the Criminals.

3. *Education.*

- (a) Public Schools.
- (b) High Schools.
- (c) Academies of Art and Music.
- (d) Professional Schools.
- (e) Universities.
- (f) Museums, Art Galleries, Public Concerts.

4. *Religion.*

- (a) The Different Sects and the Churches.
- (b) Church Property and Taxation.
- (c) Public Safety, Public and Fire Department.

VII. THE CITY AND POLITICS.

- 1. *The Machine.*
- 2. *Election Laws.*
- 3. *Cost of Election.*
- 4. *Election Statistics.*
- 5. *Records of Politicians.*

REPORT OF THE COMMITTEE ON UNIFORM MUNICIPAL ACCOUNTING.

The Committee on Uniform Municipal Accounting and Statistics beg leave to submit the following report:

The committee consists of twelve persons, duly appointed by the Executive Committee of the National Municipal League, as follows:

Mr. M. N. Baker, Associate Editor *Engineering News*, New York City.

Dr. E. W. Bemis, Bureau of Economic Research, Mt. Vernon, N. Y.

Mr. Harvey S. Chase, Public Accountant, Boston.

Dr. Frederick A. Cleveland, University of Pennsylvania, Philadelphia.

Dr. Edward M. Hartwell, Secretary Statistics Department, Boston.

Mr. Charles W. Haskins, Public Chartered Accountant, New York City.

Mr. Harry B. Henderson, State Examiner of Accounts, Cheyenne, Wyo.

Professor J. W. Jenks, Cornell University.

Dr. Milo R. Maltbie, Editor *Municipal Affairs*, New York City.

Dr. Albert Shaw, Editor *Review of Reviews*, New York City.

Dr. Samuel E. Sparling, Secretary League of Wisconsin Municipalities, Madison, Wis.

Mr. Clinton Rogers Woodruff, Secretary, National Municipal League.

The committee has chosen Dr. Milo R. Maltbie, Secretary, and Dr. Edward M. Hartwell, Chairman.

The duties imposed upon your committee are set forth in a resolution of the League passed in Milwaukee, last September,

authorizing the organization of the committee. Those duties are three in number, as follows:

1. "To give special consideration to the subject of uniform municipal accounts and statistics; (2) and to that end (see 1) to confer with similar committees representing other organizations.
3. "In its discretion to prepare and report to the National Municipal League or its Executive Committee such methods or systems for municipal accounts and the collection of municipal statistics as it may find to be most desirable."

The committee has given special consideration to the subject of uniform accounting and statistics at its meetings held in New York City, on January 18, January 19, and March 11, 1901, respectively. By way of securing further consideration of the subject-matter it has obtained the promise of the papers which are to be considered this afternoon by the National Municipal League.

Informal conferences on the part of various members of your committee have been had with representatives of other organizations which have appointed committees to suggest measures with regard to securing uniform accounts and statistics. The committee has arranged for a special conference on the subject of municipal accounts and statistics to be held in this city tomorrow morning, May 11. In response to its invitations it is expected that representatives from the following organizations will be present:

American Economic Association, American Society of Civil Engineers, American Society of Municipal Improvements, League of American Municipalities, New England Water Works Association, American Gas Light Association, American Public Health Association, National Municipal League.

In respect to the third duty imposed upon it, your committee begs leave to report progress and asks leave to continue its work. It is the opinion of the committee that in order to make a satisfactory final report at least another twelvemonth will be needed; since it is eminently desirable to proceed carefully and deliberately, and in such wise as to secure a sufficient amount of helpful criticism and the promise of effective co-operation. To that end your committee proposes to submit such measures as it shall finally deem worthy of recommendation to a considerable number of

representative students of municipal affairs and a considerable number of state and city auditors and comptrollers.

In general the committee conceives that its chief duty is to devise measures to effectuate the purpose of the National Municipal League as set forth in the Municipal Program which was adopted at its meeting held at Columbus, Ohio, in 1899. That Program contains well considered and comprehensive provisions as to

(a) The content, arrangement, and publication of financial reports by cities to a central state office of control.

(b) The financial control over records and expenditures.

(c) The accounts of municipal industrial enterprises, and

(d) The accounts of grantees of franchises.

The following extracts from the Constitutional Amendment, Article 3, Section 4, of the Municipal Program, indicate the main purpose of the National Municipal League with regard to uniform accounts and financial reports on the part of cities organized in accordance with the provisions of the Municipal Program.

"Every city shall keep books of account. It shall also make stated financial reports to the State Comptroller or other fiscal officer in accordance with forms and methods prescribed by him. . . . Such reports shall be printed as part of the public documents of the state. . . . Such reports shall contain an accurate statement in summarized form and also in detail of the financial receipts of the city from all sources, and all the expenditures of the city for all purposes, together with a statement in detail of the debt of said city at the date of said report, and with the purposes for which such debt has been incurred, as well as such other information as may be required by the State Comptroller or other fiscal officer."

Further provisions of the same article and section authorize the State Comptroller or other fiscal officer to examine into the affairs of the financial department of any city within the state.

In other articles there is further provision that the financial reports of the city shall be audited and their correctness certified by the fiscal officer of the state or some competent person or persons appointed by him.

It is evidently the purpose of the Municipal Program to secure order, regularity, and publicity in municipal accounting, and it is not necessary at this juncture to enter into any argument as to the

need and desirability of securing the same, especially as that phase of the subject was exhaustively treated in a series of papers presented at the Columbus meeting of the League.

As a means to securing the objects of the provisions of Constitutional Amendment, Article 3, Section 4, quoted above, your committee recommend at the present time certain provisional forms of schedules suitable for adoption in financial reports of cities which are at present called upon under the laws of Congress of the United States to make reports to the United States Department of Labor for use in its reports on municipal statistics of the principles cities of the country, and which would be suitable also in making reports to a central state officer or board organized in accordance with the provisions of the Municipal Program. In drawing up these schedules which are set forth below, your committee has been mindful of the fact that it would be a barren counsel of perfection to endeavor to induce accounting officers in any considerable number of our leading cities, to change their methods of bookkeeping to meet the requirements of an ideal scheme. Therefore, we have sought to devise forms under which orderly summaries of their accounts as at present kept may be set forth. The schedules may be described as follows:

Schedule A. A consolidated financial statement of receipts and expenditures under the heads of ordinary, extraordinary, trust-funds, and bookkeeping.

Schedule B. A summary of ordinary receipts and expenditures for the year; also of extraordinary receipts and expenditures.

Schedule C. An analysis of revenue, ordinary and extraordinary by sources.

Schedule D. A schedule showing receipts and expenditures by departments, departments being arranged in groups according as they subserve general functions, *e. g.*, general government, protection of life and property, public charity, public safety, and public convenience. Appended to this schedule should be a statement of public debt and a statement of assets and liabilities.

Mr. Harvey S. Chase of the committee, who lives in the city of Newton, Mass., has secured the adoption of the main provisions of Schedule D by the auditor of Newton, and co-operating with him has prepared an appendix to the Auditor's Report for 1900 in

which the showings of that report are arranged in accordance with Schedule D. Your committee takes pleasure in presenting printed copies of the report of the auditor of Newton for the year 1900 with the appendix alluded to.

The Department of Statistics of the city of Boston has undertaken to draw up a similar statement of the receipts and expenditures of the city of Boston for the year 1900 in accordance with the rubrics set forth in Schedule D. It may also be stated in this connection that the same general scheme has been recommended to the Finance Department of the city of Chicago for its adoption by Haskins & Sells, certified public accountants, of New York City, who have been engaged in an exhaustive examination into the accounts of the city of Chicago during the past year. Mr. Haskins is a member of our committee and we shall have the pleasure of hearing from him later at some length concerning the accounts and financial reports of the city of Chicago. The schedules herein enumerated will be submitted for the consideration of the conference which will be held to-morrow. It is proposed in the course of the coming year to elaborate a more detailed schedule following the plan of Schedule D. Schedule D, it may be remarked, is with some slight modifications the outline for a summarized statement of receipts and expenditures proposed by Professor L. S. Rowe, of the University of Pennsylvania, at the Columbus meeting in 1899 of the National Municipal League.

The true test of the schedules embodied in this report of progress will be found when it is attempted to make application of them to the actual accounts of individual cities. It may well happen that as a result of such test they may need to be further modified, but in their present form they seem to your committee to afford a satisfactory outline of a practicable scheme for use in securing uniform reports of financial statistics.

As regards municipal statistics in general no provision looking to their collection and publication is made in the Municipal Program. It is impracticable at present to attempt to secure uniform returns throughout the whole field of municipal statistics from any considerable number of American cities.

To secure complete success in this field it will be necessary to induce leading municipalities to organize municipal statistical

offices and to induce states to organize statistical bureaus of a much higher type and more fully equipped than any at present existing in this country. The problem of securing uniform municipal statistics throughout any wide range of subjects such as should properly be considered is a problem of great complexity, having many varied aspects. Much preliminary and tentative work will be necessary before statistical returns sufficiently comprehensive and varied to reflect the work done by all or even a majority of city departments will be attainable.

New York, Boston and Chicago are the only cities in the country so far as I am aware that even make a pretence of maintaining a department of municipal statistics. In Great Britain no city has such a department, although it should be said that the London County Council has an active and well managed statistical department. On the continent of Europe municipal statistical offices are comparatively common, and their periodical and special publications constitute a large and valuable class of literature, but the efficiency of European municipal statistical offices is in a measure due to the admirable example set them in the organization and management of statistical departments of the state. The cities of this country have no such examples to excite their emulation and imitation, and in the absence of the organization of central state statistical departments our cities must depend upon their own devices. In certain branches of statistics, as for instance vital statistics, financial statistics and educational statistics, it seems practicable to seek for uniform returns, but to secure such returns much preliminary conference and experiment seems indispensable, as the value of such statistics depends on their being comparable, and to render them comparable, co-operation on the part of a large number of independent boards and officials will be indispensable. There is one class of municipal statistics, however, whose value is coming to be widely recognized. We refer to the statistics of certain agencies organized for promoting public utilities such as water works, electric and gas lighting works and street railways. The need of securing uniform returns as a basis for estimating the cost and efficiency of such public utilities has occupied the attention in the last two years of several associations in the United States, *e. g.*, the American Economic Association,

the American Gas Light Association, the American Society of Civil Engineers, the New England Water Works Association, the American Society for Municipal Improvements, and others. At the conference to be held to-morrow the representatives of some of these associations will be asked to consider (1) the schedules proposed by your committee on this occasion, (2) the practicability of securing statistics relating to water works, gas works, electric lighting works, etc., and the practicability of devising schedules to secure uniformity in such statistics, and (3) to determine what other branch of municipal statistics than those just mentioned it is most needful and practicable to promote at the present time.

For the Committee,

EDWARD M. HARTWELL, *Chairman*.

May, 1901.

NOTE.—The specific rubrics to be included in the schedules alluded to in the text are under consideration by the Committee and will be embodied in its final report. Persons desiring a copy of the report of the auditor of the city of Newton for 1900, which contains a rearrangement of the accounts in accordance with Schedule D, may obtain a copy of the same by applying to Dr. Edward M. Hartwell, 73 City Hall, Boston.

REPORT OF CONFERENCE ON UNIFORM MUNICIPAL ACCOUNTS.

In response to the invitations of the League and its committee on Uniform Municipal Accounts and Statistics, a conference on the subject named was held at Rochester, N. Y., on May 11, immediately following the meeting of the League. Of the eleven committees on uniform municipal accounting appointed by different organizations devoted wholly or in part to municipal affairs, five were represented in person and two either by letter or by proxy.

Dr. E. M. Hartwell, City Statistician, of Boston, was chosen as chairman, and Mr. M. N. Baker, associate editor of *Engineering News*, as secretary. The report of the League's committee submitted to that organization the previous day, was approved, including its tentative schedules for summaries of municipal receipts and expenditures. The conference also approved and recommended for general adoption the modified Bertillon classification of causes of death, as adopted at the Paris Exposition in 1900, by the American Public Health Association, and by a number of American states and cities.

Verbal reports from the committees of the National Electric Light Association and the New England Water-Works Association indicated that the former had completed an extended report for presentation to its meeting during the last week of May. The latter body has under consideration a revision of its schedule for a summary of water-works statistics. Mr. J. C. Whitney, of West Newton, Mass., a member of the latter committee, favors simplification of its water work schedule, while Mr. C. C. Brown, chairman of the committee of the American Society of Municipal Improvements, in a letter expressed the thought that the water-works schedule of his own committee was none too elaborate for the needs of the present day, particularly for the larger cities, and that the New England schedule was scanty in these particulars.

Attention was called to the fact that the American Society of Municipal Improvements had prepared schedules both for paving and sewerage, as well as water-works statistics, and that various bodies interested in street railways have adopted a detailed plan for street railway accounting, which has been ordered by some of the State Railway commissions to be put in force in their respective states.

The progress thus far made by various organizations was summed up as follows:

The Bertillon classification of the causes of deaths has been widely adopted by numerous organizations and state and local governments and has assumed an international aspect. Uniformity in street railway statistics is assuming a national phase, the schedules having been worked out in great detail as a matter of accounting. Uniform water-works statistics have been published for more than a dozen years in city reports, in accordance with the form recommended by the New England Water-Works Association, and tabulated from time to time in the journal of that Association. Two other organizations have adopted water-works schedules which have not yet been put in use, and the Central States Water-Works Association has a committee to co-operate with others on this subject. The next step will be to secure an agreement on a common schedule on the part of the American Society of Municipal Improvements, the New England, American and Central States Water-Works Associations. Schedules for both sewerage and paving statistics have also been worked up. There are eleven committees, from as many organizations, working for uniform municipal accounting. (See appendix for list of committees, with names and addresses of the members.)

The conference requested the National Municipal League Committee to harmonize and unify the work of the various other committees, and to that end sub-committees were appointed.

A general discussion followed. Mr. G. W. W. Hanger, of the United States Department of Labor, stated that if the summary of municipal receipts and expenditures recommended by the committee of the National Municipal League were in force it would reduce by 90 per cent the work of the Department of Labor, in collecting such figures for its yearly bulletin on statistics of cities.

The Department now has to send men to each city to obtain the desired information. In some cities these men have to go over the books item by item, separating the receipts and expenses of the several departments, and further separating construction from operating expenses.

It has been suggested that the League's committee should prepare a series of definitions, supplementary to its schemes for accounting, to aid various city officials in following the plan; and further that the committee prepare a compact and simple handbook or manual, covering the whole subject of uniform municipal accounting, the need for it, the benefits that would result from its adoption, and the methods to be pursued to attain it. This should include either the papers, or a digest of them, read before the National Municipal League at different conventions, any gaps to be filled with editorial matter, in order to ensure a complete presentation of the subject. Also the preparation of drafts of such simple legislative acts as might be needed in each state of the Union to ensure uniform municipal accounts under state supervision, as contemplated in the Municipal Program of the National Municipal League.

The conference concluded with an interesting talk by Mr. James Johnston, City Controller of Rochester, who explained the system of accounting carried out under his direction, and very kindly volunteered to append to his annual report a summary of receipts and expenditures in accordance with the plan recommended by the committee of the National Municipal League.

M. N. BAKER,

Secretary of the Conference.

SCHEDULE D.

RECEIPTS AND EXPENDITURES.

I. GENERAL GOVERNMENT.

1. Mayor—Office.
 - (a) Salary of Mayor.
 - (b) Other expenses of city executive.
2. Legislative.
 - (a) City Council.
 - (b) City Clerk.
3. Law Department.
4. Finance Department.¹
5. Bureau of Elections.
6. Public Printing.
7. Buildings not in other departments.
8. Registration.
9. Other general.

II. PROTECTION OF LIFE, HEALTH AND PROPERTY.

1. Police.
2. Fire Department.
3. Courts.
4. Jails, prisons and reformatories.
5. Health Department.
6. Cemeteries.
7. Building Department.
8. Militia and armories.
9. Miscellaneous.

III. PUBLIC CHARITY.

1. Hospitals.
2. Insane.
3. Houses for aged, deaf, dumb, blind, etc.
4. Almshouses and workhouses.
5. Lodging-houses.
6. Outdoor relief.
7. Miscellaneous.

¹ All financial officers : Tax assessors, collectors, treasurers, comptroller, Board of Estimate and Apportionment.

IV. PUBLIC WORKS.

1. Administration expenses.
2. Opening and grading streets.
3. Street paving.
4. Sidewalks.
5. Street cleaning.
6. Street sprinkling.
7. Street lighting.
8. Garbage collection and disposal.
9. Snow removal.
10. Sewers and sewage disposal.
11. Bridges.
12. Miscellaneous.

V. PUBLIC INDUSTRIES.

1. Water works.
2. Gas works.
3. Electric light plants.
4. City real estate.
5. Markets.
6. Docks and wharves.
7. Transit subways.
8. Subways for pipes and wires.
9. Miscellaneous.

VI. PUBLIC EDUCATION, RECREATION AND ART.

1. Schools.
2. Libraries.
3. Museums and art galleries.
4. Parks. (a)
 (b) Playgrounds.
 (c) Gymnasias.
5. Baths.
6. Celebrations.
7. Miscellaneous.

VII. TRUST FUNDS.**VIII. MISCELLANEOUS.****IX. TAXATION.**

1. Real property.
 (a) Lands.
 (b) Buildings.
2. Personal property.

3. Poll taxes.
4. Liquor Licenses.
5. Franchise tax.
6. Receipts from franchise rights.
7. Special assessments.
 - (a) Street opening.
 - (b) Street paving.
 - (c) Sidewalks.
 - (d) Sewers.
 - (e) Other purposes.
8. Miscellaneous.

X. PUBLIC DEBT.

1. Interest.
2. Sinking funds.

XI. TOTALS OF RECEIPTS AND EXPENDITURES (TO THIS POINT).

XII. CASH BALANCES AT BEGINNING AND END OF FISCAL YEAR, RESPECTIVELY.

XIII. GRAND TOTALS OF BOTH SIDES OF THE ACCOUNT. (BALANCED.)

APPENDIX.

LIST OF COMMITTEES.

MEMBERSHIP OF COMMITTEES ON UNIFORM ACCOUNTS AND STATISTICS,
APPOINTED BY VARIOUS ORGANIZATIONS DEVOTED TO OR INTERESTED IN
MUNICIPAL AFFAIRS.

AMERICAN ECONOMIC ASSOCIATION.

M. N. Baker, 220 Broadway, New York City.
Professor H. B. Gardner, Providence, R. I.
Dr. Edward W. Bemis, Mount Vernon, N. Y.
Professor E. Dana Durand, Bliss Building, Washington, D. C.
Professor F. R. Clow, Oshkosh, Wis.

AMERICAN GAS-LIGHT ASSOCIATION.

A. C. Humphreys, 31 Nassau St., New York City.
A. P. Lathrop, Sixth and Jackson Sts., St. Paul, Minn.
Lewis Lillie, Broad and Arch Sts., Philadelphia.

AMERICAN STATISTICAL ASSOCIATION.

William M. Cole, Fall River, Mass.
Howard H. Cook, City Hall, Boston, Mass.
Professor H. B. Gardner, Providence, R. I.
Professor C. W. Tooke, Urbana, Ill.
Professor John H. Gray, Evanston, Ill.
Dr. John R. Commons, Mount Vernon, N. Y.
G. W. W. Hanger, U. S. Dept. Labor, Washington, D. C.

AMERICAN SOCIETY OF MUNICIPAL IMPROVEMENTS.

Charles C. Brown, Commercial Club Building, Indianapolis, Ind.
Captain H. C. Newcomer, 464 Louisiana Ave., Washington, D. C.
F. W. Cappelen, Oneida Block, Minneapolis, Minn.

AMERICAN PUBLIC HEALTH ASSOCIATION.

Dr. John S. Fulton, Baltimore, Md.
Dr. Charles V. Chapin, Providence, R. I.
Dr. H. M. Bracken, Minneapolis, Minn.
Dr. Cressy L. Wilbur, Lansing, Mich.
Dr. William H. Welch, Baltimore, Md.
M. N. Baker, 220 Broadway, New York City.
Dr. William C. Woodward, Washington, D. C.
Dr. Samuel W. Abbott, Boston, Mass.

CENTRAL STATES WATER WORKS ASSOCIATION.

W. A. Veach, Newark, O.
W. B. Mitchell, Piqua, O.
Fred. J. Catlin, Flint, Mich.

LEAGUE OF AMERICAN MUNICIPALITIES.

J. A. Johnson, President, Fargo, N. D.
John MacVicar, Secretary, Des Moines, Iowa.

NATIONAL ELECTRIC LIGHT ASSOCIATION.

E. W. Poole, 100 Broadway, New York City.
W. F. Ham, Washington, D. C.
G. E. Tripp, 2 P. O. Square, Boston, Mass.
W. A. Anthony, Chicago, Ill.

NATIONAL MUNICIPAL LEAGUE.

Dr. E. M. Hartwell, City Hall, Boston, Mass.
Professor J. W. Jenks, Ithaca, N. Y.
M. N. Baker, 220 Broadway, New York City.
Dr. Milo R. Maltbie, 52 William St., New York City.
H. S. Chase, 8 Congress St., Boston, Mass.
Harry B. Henderson, Cheyenne, Wyo.
Professor Samuel E. Sparling, Madison, Wis.
Dr. Albert Shaw, 13 Astor Place, New York City.
Dr. Edward W. Bemis, Mount Vernon, N. Y.
Clinton Rogers Woodruff, Girard Building, Philadelphia.
Charles W. Haskins, 30 Broad St., New York City.
Frederick A. Cleveland, University of Pennsylvania, Philadelphia, Pa.

AMERICAN WATER WORKS ASSOCIATION.

Committee on Water Works Statistics.

Dow R. Gwin, President Water Company, Terre Haute, Ind.
John C. Trautwine, Jr., 257 South Fourth St., Philadelphia, Pa.
Emil Kinchling, 209 Clinton Ave., North Rochester, N. Y.

NEW ENGLAND WATER WORKS ASSOCIATION.

Joseph E. Beals, Middleborough, Mass.

George F. Chace, Taunton, Mass.

J. C. Whitney, West Newton, Mass.

NEW JERSEY SANITARY ASSOCIATION.

M. N. Baker, 220 Broadway, New York City.

Dr. Henry Mitchell, Trenton, N. J.

Dr. Elias J. Marsh, Paterson, N. J.

PRESENT CONDITION OF MUNICIPAL STATISTICS IN THE UNITED STATES.

BY G. W. W. HANGER,

Of the U. S. Department of Labor, Washington, D. C.

By an act of Congress, which was approved and became law July 1, 1898, the United States Commissioner of Labor was (according to the language of the act) "authorized to compile and publish annually an abstract of the main features of the official statistics of the cities of the United States having over 30,000 population."

From its wording, as well as from the fact that no specific appropriation was made for the work, it was evidently believed by the framers of the law that these statistics were already in existence in printed reports of the various cities coming within its scope, and that the work would be simply one of compilation, I shall attempt briefly to describe the experience of Commissioner Wright in his effort to comply with this law, and recite some of the difficulties encountered in securing, unifying, and harmonizing these statistical data, believing that by so doing a fairly accurate picture will be drawn of the present condition of municipal statistics in the United States as found in city reports.

In accordance with the act referred to, a compilation was first attempted from the printed reports of various cities, but owing to lack of uniformity in these reports, and in some cases to the lack of reports themselves, it was found impossible to make such a classification of the various items relating to the governmental, financial, and other conditions of these cities as seemed necessary for a satisfactory comparison. A schedule of inquiries

was therefore prepared and the work taken up by the special agents of the Department, by personal visits to the various officials of the cities coming within the scope of the investigation, and the results of this first investigation were printed in the Bulletin of the Department of Labor for September, 1899.

The sending of a special agent to each city and securing the required data by that method instead of by simple compilation was deemed absolutely necessary in order to obtain data of any real value for purposes of comparison, and so varied were the conditions found that almost four months were given to the gathering of schedules by the twenty agents of the Department.

As will be seen by reference to the language of the law which has been quoted, provision was made for a similar inquiry each year. The second report on this subject appeared a year later, in the Bulletin for September, 1900, the scope being somewhat enlarged in order to secure fuller information concerning some inquiries—mainly those relating to non-municipal libraries, hospitals, asylums, almshouses, etc. These inquiries will not, however, be covered in the third report, which is now in course of preparation, and which will appear in the Bulletin for September of the present year. A few additional inquiries, however, will be made, and the Bertillon method, which has been adopted by some of the leading cities of the country, will be followed in the classification of deaths.

It was hoped that after the first and second years of these reports sufficient interest would have been aroused among city officials to enable the Department to secure the facts desired by means of correspondence, but while much interest has been manifested in the work by some of the officers in many of the cities; while actual effort has been put forth in some cases to have data ready and in the form desired; while in very many cities greater facilities are being offered each succeeding year to the agents of the Department for securing data, yet the work has been shortened but little, and I believe that it will not be possible to do away with this expensive method of gathering the facts for many years to come, unless some stronger and more powerful influence can be brought to bear for the purpose of securing greater uniformity and clearness of method among city officials.

Lack of Uniformity and Correctness of Reports.—In this lack of uniformity, both in the range of facts covered and in the methods of presentation in the various official reports of cities, is found the greatest difficulty that is to be encountered by the compiler or gatherer of city statistics. The conditions as regards reports almost invariably indicate the conditions as to the records and accounts from which they are compiled. From the reports themselves it is practically impossible to secure uniform data for any considerable number of cities, for even the simplest features of municipal activity. And not only is there found this entire lack of uniformity which is absolutely essential to comparisons between cities, but these reports are frequently unintelligible even to the most experienced agents, and sometimes contain typographical and other errors, the correction of which necessitates a long and careful search of the records.

Up to the time of the publication of the report of the Department of Labor on Statistics of Cities, practically the only sources of such information, outside of the reports of the United States Census Office, were the published reports of the various city officials. So far as I know, no previous effort had ever been made to bring together and unify any considerable body of facts for a number of cities, notwithstanding the growing interest in municipal affairs and the undoubted value of such a collection of facts. This was doubtless due to the fact that this lack of uniformity, directness, clearness, and accuracy in city reports proved to be an almost insurmountable obstacle—insurmountable except by patient, persistent, and tedious personal inquiry and investigation, which would have proved too slow and expensive a method for the individual compiler.

This condition of lack of uniformity of method as between different cities, and even in some cases between different officers of the same city, is doubtless due to a variety of causes. First, the extent and form of these reports are left almost universally to the individual judgment of the officers from whom they are required. Too often these officers are entirely without experience in statistics and accounting, and are therefore unable to do more than follow in the lines laid down by their predecessors. Even when a certain amount of experience and good judgment in such

matters is found—and this is indeed the case in a surprisingly large number of instances—although the individual report may be clear, accurate, and broad in its scope, its value is diminished for purposes of comparison with the reports of other cities by reason of the fact that other reports are not similar in form or extent of scope.

To secure this much-desired uniformity in city reports themselves it is necessary that there should be not only a mutual understanding and cooperation between the city officers having control of similar departments in the various cities, as to the facts to be covered and the form in which they are to be shown, but also a greater uniformity in municipal organization itself. Above all, it is desirable and necessary that at least the subordinate officers and clerks in municipalities be appointed solely for their fitness for the work required of them, and once appointed, that they should be retained as long as efficient. It is not to be expected that the higher offices of our cities can be removed entirely from the realm of politics, but with the retention in each city department of a corps of competent, efficient, and sufficiently well-paid subordinate officers and clerks no difficulty would be experienced in carrying on year after year the compilation and presentation of their accounts and statistics according to whatever uniform system might be generally adopted.

Lack of Promptness in Printing.—It will readily be seen that notwithstanding the present lack of uniformity between the reports of the various cities, a greater or less number of the inquiries to be propounded in gathering material for a report such as the Department of Labor is publishing would be answered more or less fully therein. The proportion of inquiries, the replies to which may be secured in this manner, varies largely in the different cities; but so far as these reports go it is manifestly desirable to use them instead of resorting to the original records, the examination and use of which always involve a considerable expenditure of time. This statement leads up to the fact that in many cities the publication of their official reports is far from prompt, in some instances many months elapsing after the close of the fiscal year before they are printed and ready for distribution. The fact that a copy of the manuscript is seldom retained when reports are

sent to the printer leaves no course possible to the investigator desiring comparatively fresh material but the compilation of the facts from the records which are kept from day to day through the year—unless access can be had to the printer's copy.

It may be stated in this connection that in some cities of over 30,000 population no reports whatever are printed, while in many it is considered necessary to print only those relating to financial matters. One city to which my attention has recently been called makes no annual statements, but every other year prints a report which combines the results of two years' work.

As the value of statistical material is greatly lessened by delay in its presentation to the public, promptness in this respect cannot be urged too strongly.

Attitude of City Officials.—The attitude of city officials toward the investigator is almost uniformly courteous, and so far as their duties permit they give freely of their time in assisting by interpretation and otherwise in the classifying and unifying of the data desired. Of course they should be remembered that unfavorable conditions will sometimes be found, aside from the fact that many officials, especially in the smaller cities, are poorly paid and have all of the work they can readily perform in connection with their regular duties. Frequently, too, city officials are not able to relinquish their business interests for the comparatively short term of service of a municipal officer, and this additional demand on their time must be considered.

Present Conditions More Specifically Considered.—Some of the more general difficulties met in the work of collecting and unifying city statistics having been outlined, it may be well to define the scope of the investigation now being carried on by the Department of Labor, and at the same time consider more specifically the conditions found in the different departments of city activity. It will be conceded at once that the chief value of a general report of this character, covering 135 cities, lies in the means it affords for the comparison of any specified data for one city with absolutely similar data for all of the other cities involved. With the limited amount of time which it was found possible to give to this investigation, a careful selection of inquiries was first necessary. A glance at the schedule now in use shows that

only the most vital and essential facts are called for—such facts as should be known and readily obtainable by every citizen. Many facts which would doubtless have been of interest and value to a limited number of students of city conditions have necessarily been omitted.

Date of Ending of Business Year.—In but 13 of the 129 cities included in the last report of the Department of Labor have all of the various departments of city activity had their business year end on the same day. In all of the other cities two or more different years have been used. In one of the smaller cities of the State of New York, for example (and the example is not an extreme one), as many as seven different dates have served to mark the end of the business years of its different departments. When, as is sometimes the case, the several financial departments of a city differ in this respect, the work of securing a report on which all must agree assumes a formidable aspect and entails an unusual expenditure of time and labor. While the difficulties are not so great in the case of the disagreement of other departments of a more independent character as regards their business year, entire agreement as to the year covered would undoubtedly be more satisfactory, and would render these reports more readily available.

For the sake of brevity I shall not consider in detail the difficulties connected with the collection of such *comparatively* unimportant data as those relating to the area and population; to the paving, cleaning, and lighting of streets; and to parks, sewers, and garbage removal. Nor will it be necessary here to do more than state that when printed reports are available the collection of data relating to the police and fire departments, to public libraries and public works, and to charities, is attended with comparatively few difficulties, although much time and labor are required when printed reports are lacking, in such work, for example, as the classifying of arrests one by one from court dockets in order to secure data relating to the number of arrests for various causes.

In passing the statistics relating to public works, attention is called to the Fourteenth Annual Report of the United States Commissioner of Labor, for the year 1899, which furnishes very complete data relative to a large number of water, gas, and electric

light plants under both private and municipal ownership and control. While city reports seldom furnish statistical data relating to this subject in such great detail, they should undoubtedly do so, and I believe that the great progress shown in this direction during the past few years indicates that each succeeding year will bring us a greater body of valuable statistics of this character. Here, as in all other departments of city activity, however, greater uniformity in the substance and form of these data is necessary between the various cities.

Public Schools.—With the exception of financial data, which are always the most complicated and difficult, information relating to the number, attendance, etc., of schools requires in many cases more labor than that for any other department. Several examples will serve to explain these difficulties. A certain Western city is divided into thirteen independent school districts, each having its own commissioners or trustees, funds, schools, teachers, rules, and methods, with no general supervision whatever. Each of these districts levies its own school taxes and has entire control of the same. In order to cover the city as regards this feature it is necessary to canvass each of these districts and combine the results.

In some of the Southern cities the schools are under county and state control, and entirely separated from the city so far as management is concerned. The principal difficulty in these cases is the separation of the various data, including those relating to income and expenditure, between the city itself and the suburban and rural section.

Health Department.—Municipal statistics relating to marriages and births are usually very difficult to obtain. The records of births are generally very incomplete, and even approximate accuracy is obtained only by patient examination and interrogation. Statistics as to causes of death present unusual difficulties in the way of securing uniform statements, owing partly to the entire lack of published reports in some cities, and partly to the entire lack of uniformity of nomenclature in all but the comparatively few cities in which the Bertillon method has been adopted. In a number of cities there is found but little beyond the physicians' certificates of death and a rough total for the year. After

an experience of two years with this matter, the Department of Labor has adopted a modified form of the Bertillon classification, which was officially approved and adopted by the International Congress of Hygiene and Demography in August, 1900, and which is now being used by a number of cities in this country, and by some states, in the classification of their mortality statistics. Lacking the pathological knowledge necessary to either criticise or praise this classification, I feel that its general adoption will at least result in a uniformity of nomenclature that is absolutely necessary to give value to mortality statistics. Some of the principal cities of the country have already adopted this classification, and I am inclined to believe that many other cities will soon do so. With this or any other desirable method in general use, a very valuable body of statistics will at once become readily available. Without such uniformity of nomenclature these data must be classified at the expense of much time and labor, and in almost every city the original certificates of death must be examined before the figures assume any value whatever.

Official death-rates as published in the health reports of cities are very frequently computed on an erroneous figure for population. Indeed, such statistics should be used in no case unless the basis is known and approved. A single example will suffice. In one of the cities the chief of the sanitary department bases his death-rate on a population of 131,000, although the Twelfth Census gives the city a population of not quite 90,000. Such grave discrepancies are, however, uncommon, although census figures for population do not entirely agree with the figures used in computing the official death-rate in a single city included in the last report of the Department of Labor.

Financial Reports.—In taking up the consideration of the condition of financial statistics in cities, I feel that it is proper to say that just here the most numerous and most serious difficulties present themselves when the effort is made to bring the data from various city reports into a uniform statement. Not only do the methods of procedure and forms of statement disagree entirely as between one city and another, but within a single city the several officers in charge of its financial matters and its accounting very

frequently totally disagree as to facts concerning which there should be no doubt.

As regards the departments of city work and the division of duties between them, there is no real agreement in the various cities. In many, the entire scheme of government has simply grown into its present form without any apparent effort having been made to give it such form and symmetry as would be the first consideration of a private business enterprise. Instead of a thorough reorganization to meet changed conditions, temporary make-shifts have been adopted, and have finally grown into permanent parts of the city government.

In order that these and other conditions may be more clearly understood, I will refer to a city in which the financial department is in charge of a comptroller or auditor, while entirely apart from and independent of this department is found a school board, a board of water commissioners, a library commission, and, in some cases, park and other commissions. Each of these boards or commissions has its own account of receipts and disbursements, cash balances, bonded and temporary debt, sinking fund, etc. Their business years do not always coincide with that of the city auditor or with that of each other. Add to this condition the mutual indifference of these various departments, their lack of cooperation, and an entire absence of supervision and control, except such as each chooses to allow, and a final condition is found which practically renders impossible any clear and accurate picture of the financial condition of the city as a whole.

Even when the accounts of a city are under the general control of one officer, the lack of summarization renders it extremely difficult to ascertain the separate expenditures of the different departments. When this general control, however, is lacking, as in the before-mentioned instance, and many others of a similar character, these difficulties are greatly intensified. This is true also in cities in which two or more independent boards exercise control over entirely similar work, as is the case in a city in the Middle West, in which each of three distinct park boards collects taxes, cleans the streets, maintains a police force, makes arrests, etc., in the area under its supervision, while the regular financial, street, and police departments perform a similar service for the

remainder of the city. Four separate governments are thus found within the area of the city, and the facts from all must be united in order to secure a complete statement—a difficult task when it is known that from lack of cooperation or general control the accounts of these four bodies are entirely wanting in uniformity.

The investigator will, indeed, find almost as many systems in vogue as there are cities, and the enumeration of difficulties of this character might be greatly extended.

Bonded Debt.—The work of securing uniform figures showing the bonded debt of cities is also accompanied by difficulties. These are occasioned, however, more by the different methods followed by the various cities in dealing with their indebtedness than by the method of any one city. The inquiry is a complicated but not by any means a hopeless one. Some cities have a single series of bonds or a number of series, all on the same plan, under the same control, all guaranteed by the city, and to all intents and purposes constituting a single indebtedness. Other cities, in addition to their regular bonded debt, issue certificates of indebtedness, temporary loan bonds, local improvement bonds, street and sewer bonds, special assessment warrants, etc., etc., the three last named usually being charged against private property for street and sewer improvements. This course is taken in some instances apparently to evade a state law or a charter provision limiting the amount of debt the city may incur. In other instances it appears to proceed from a desire on the part of the officials to have the debt of the city appear as small as possible. In almost all instances of this kind the city officials are unwilling that such bonds should be included in their bonded debt, although the city issues them, levies and collects assessments to redeem them, builds streets and sewers with the money realized from them, and treats them practically as other bonds, except that it does not guarantee their payment or provide a sinking fund for their redemption. Owing to the various methods employed in connection with the collection and disbursement of these special assessments, the difficulties attendant on their proper disposal extend also into the accounts of city income and expenditure, and much work and investigation of a personal nature are required before the transactions relat-

ing to these matters can be thoroughly understood and uniformity of statement secured.

Assets.—Few cities have any record of the value of their real and personal property. Their published assets, when shown at all, consist usually of cash on hand, uncollected taxes, cash and bonds in sinking funds, and perhaps a few items of real estate. A complete list of carefully appraised property, real and personal, belonging to the various departments of the city government is seldom shown in a city report, nor indeed does careful inquiry reveal even the existence of such data among its records.

Income.—Beyond such difficulties as arise from the necessity of harmonizing, dissecting, and combining the numerous accounts which have been mentioned, the greatest obstacles encountered in the way of securing city income are those connected with the statements of taxes, special assessments, and cash on hand. The city taxes are frequently more or less mingled with those for the state and county, and usually city reports are not very clear on this point. The receipts from taxes are frequently shown in two or more separate accounts, and this is also true of receipts from liquor licenses and from other sources. The items of cash on hand at the beginning and at the end of the year sometimes present difficulties owing to the different methods of accounting in use in different cities, some cities including in these items the cash in the sinking fund and others excluding it. In cases where the former method is used it is only with the greatest difficulty that the separation can be made without disturbing the balance between income and expenditure. Indeed, in some cities it has been found entirely impracticable to omit from the statement of cash on hand at the beginning of the year that portion in the sinking fund.

Expenditures.—In considering the expenditures of cities, it seems quite necessary to make a separation between those for "construction and capital outlay" and those for "maintenance and operation." Unfortunately, but few cities make any distinction between these two classes of expenditure, and even where this is done, the classification can be made only by an examination and analysis of each separate item of expenditure. The accounts are often misleading, and it is only by the closest inquiry and investigation that accuracy in this classification can be obtained. In

the report of the waterworks board in one city, for example, is found an expenditure amounting to \$15,000, itemized as follows: "Meter repairs; repairs to distribution; maintenance; repairs to machinery; tools; and repairs to hydrants." It was naturally supposed from their wording that all of these items of expenditure were for maintenance and operation, but after careful inquiry it was found that every item enumerated above represented an expenditure for extending and enlarging the plant, and hence was properly chargeable to construction.

In another city the cost of maintenance of the waterworks was stated to be nearly \$830,000. The printed report not having been issued, this statement was accepted at the time. Later it was ascertained that of this amount \$65,000 was expended in repayment of loans, nearly \$320,000 for interest, and that over \$130,000 was paid into the sinking fund, leaving as the actual expenditure for maintenance for the year but little over \$300,000.

After the classification of expenditures under these two general heads is satisfactorily made, comes the further difficulty of their subdivision according to the various departments of the city work to which they pertain, such as police, fire, health, charities, schools, streets, sewers, waterworks, etc. As before stated, the accounting is often done by a number of different officials, no one official having control of all. In order to properly group and balance these various expenditures, it is therefore necessary to go back and forth between these different officials, at the expense of much time both to the investigator and the officials. A study of the reports will seldom accomplish a satisfactory result unless assisted by the personal explanation and interpretation of the officials themselves.

Perhaps no data are more difficult to secure from reports than the transactions relating to the sinking fund and to loans made and repaid in their relation to city expenditure. In some cities the treasurer pays the money to the sinking fund commissioners, who in turn redeem bonds as they become due. In other cities the sinking fund commissioners return to the treasurer the money needed for the redemption of bonds, and that officer makes the disbursement. In still other cities the auditor or treasurer has charge of the sinking fund, and treats it in the same manner as other

accounts. These different conditions, with their accompanying variations in method, render it extremely difficult to reduce the facts for different cities to a uniform basis.

The custom frequently found of transferring funds from one department to another and charging the same to disbursements and receipts each time a transfer is made, is another difficulty that is encountered in the effort to ascertain the actual income and expenditure of a city. In one department of a large city in the Middle West the entire income is from these transfers from other departments or funds, while its disbursements are in the form of goods transferred to other departments.

A common error into which the Department of Labor itself was led by the extremely mixed condition of the accounts of some cities, is that of charging as income the temporary loans which cities frequently secure to tide them over the period preceding tax collections or for other reasons, and charging the payment of these loans as expenditure, thus giving erroneous and misleading totals for income and expenditure. The greatest care must be exercised in eliminating these items from income and expenditure.

These statements as to the difficulties in the way of using the vast body of statistics found in city reports, and of securing uniformity, even by the closest and most painstaking personal investigation in the cities themselves, might be prolonged indefinitely. Sufficient has been said, however, to show that there is room for much improvement in the direction of clearness, accuracy, and above all, uniformity. Each of the conditions described has actually been encountered, and the difficulties met with have in no degree been exaggerated. It is but fair to say, however, that these conditions are not common to all of the cities which have been included in the yearly report of the Department of Labor. While the lack of uniformity between the official statements of the various cities is general, many admirable reports are made, showing every evidence of careful and accurate compilation, and containing full and explicit information as to the various departments of municipal activity. In many of the cities investigated, at least a few of the departments have adopted methods that enable them to furnish more readily the data called for by the schedule in use by the Department of Labor, and I believe that

the time required in canvassing these cities is slowly but surely growing less at each succeeding year. These and other evidences of interest on the part of city officials lead me to believe that the time is ripe for some such concerted action as is contemplated by this and other organizations which have for their object the promotion of uniformity in municipal statistics and accounts.

THE CONTROL OF MUNICIPAL ACCOUNTING AND STATISTICS IN GREAT BRITAIN.

EDWARD W. BEMIS, Ph. D., Mount Vernon, N. Y.,

Of the Bureau of Economic Research.

There has been a gradual increase in the control of the accounts of local governments by the English Local Government Board during the present century. Dr. Milo R. Malthbie, of the committee of this National Municipal League on Uniform Municipal Accounting, has brought this out clearly and admirably in his volume on "English Local Government of To-day," published in 1897. He has shown how, beginning with the accounts of the poor law authorities the Local Government Board now has charge of the auditing of the accounts of nearly all taxing bodies in England, save the larger municipalities, known as municipal boroughs. The central board appoints the auditors, fixes their salaries, and assigns them their districts and work, in all the smaller districts known as the urban districts, and in the case of the school boards, the poor authorities and the county councils. These auditors are expected to disallow all illegal payments and to fix surcharges to be paid by officials who have omitted proper credits in their accounts. Although ninety-five per cent of these decisions of the auditors are sustained by the Local Government Board, the latter omits the fines and penalties fixed by the auditors in nine-tenths of the cases, and before the audit occurs may give special permission to a local body to incur some expense not technically allowed by the law, if it be a matter of small importance. If is found, however, that this system of national audit has secured a large degree of uniformity and publicity in accounts, and has prevented confusion and abuses arising therefrom, such as prevailed years ago. From the report of the Local Government Board for 1898

and 1899, it appears that the district auditors, during the calendar year 1898, made the following disallowances and surcharges in accounts:

Town Councils	11
Urban District Councils	510
Joint Hospital Boards	1
Sewerage, Water and Gas Boards.....	13
Sanitary Authorities	3
Rural District Councils	255
Surveyors of Highways	91
School Boards	317
<hr/>	
Total	1,201

To be sure, nearly all of these surcharges and disallowances are very small sums and trifling matters, but without the existence of such an audit more serious abuses would doubtless arise in some cases, as they seem to have done fifty and more years ago, when such auditing was in its infancy. Doubtless the largest advantage that can be clearly demonstrated to-day from the audit of accounts is the publicity given to the transactions of these numerous local bodies, with the natural result of increasing intelligent interest and oversight of local expenditures by a well-informed public opinion.

The problem now agitating England in this line relates to the desirability of extending this system of national audit to the larger municipalities. Three boroughs have already sought and obtained acts of Parliament which secure for them this audit by the Local Government Board, but most of the larger boroughs, as shown in the recent testimony of their officials before the Parliamentary Committee on Municipal Accounting, and in their personal expressions of opinion to the writer last summer, are opposed to one feature of the national audit. They are influenced by the sturdy English opposition to increase of centralization, and they make note of the fact that one of the chief influences urging this national audit is the privately owned lighting, transportation and other natural monopolies which have much more control in Parliament than in the municipal councils. In the testimony before the Parliamentary Committee on Municipal Trading last year these vested

interests desired national audit, with powers to disallow and surcharge, in order, as they frankly said, to prevent the present tendency of municipalities to increase their functions without direct authority from Parliament, and in order to secure the book-keeping distribution of the clerical labor in the City Hall over the municipally operated lighting and street railway undertaking, etc., for it is now claimed, although not proven, that unless the above clerical expenses are increased by these new municipal enterprises, the clerical cost is not distributed over their accounts. Because of the influence back of this demand for national audit of municipal accounts, it is easy to understand why the municipalities should oppose it, especially in view of the conceded fact that there is scarcely any evidence of dishonesty in these local bodies, or crookedness in their accounts, which are usually well audited by local accountants. Nevertheless, the town clerks of Leeds and of Birmingham, and the Mayor of Blackpool told the Parliamentary Committee above quoted that they had no objection to the requirement of an audit by professional auditors, whose appointment should be approved by the Local Government Board, and they seemed to have no great objection to having these auditors directly appointed by the Board, and were quite willing that such auditors should perform the important duties of investigating and reporting upon accounts, and making a public statement to the Government, provided that the other feature of the customary national audit, namely, the right of these national auditors to make disallowances and surcharges, was not granted. It is a question for us to consider in America, whether municipal auditing should not begin, at least, with the first feature of publicity and uniformity of accounts, leaving for future consideration the wisdom of its extension to the making of surcharges and disallowances. The former feature, I understand, prevails in the relation of the Scotch boroughs to the Local Government Board.

Mr. Robert Donald, editor of *The Municipal Journal*, London, and of the *Municipal Yearbook*, and thoroughly in touch with all municipal conditions in Great Britain, has just informed the writer that national audit is bound to come in Great Britain before many years. Meantime, it is important to note that some of the large municipal boroughs now publish their accounts in such a clear

and full way as to be infinitely above the average American city. According to the Act of 1882, an auditor is appointed by the mayor of every borough and two are elected by the voters to make an independent audit. Little attention is paid, in most places, to the work of these men. In Birmingham, for example, only about three hundred voters out of one hundred thousand, or less than a third of one per cent, have taken the pains to vote at all during the last five years in the election of these two elective auditors. Reliance is chiefly placed, and with good reason, upon other auditors, selected and well paid either by the City Council as a whole or in larger cities by the various committees of the council. There are eighteen committees in the Birmingham City Council, and nearly all of them have their accounts thoroughly audited by chartered accountants. In some places the elective auditors are also remarkably efficient and fearless. For example, one of the elective auditors of Manchester recently charged Alderman Higginbottom, chairman of the Electricity Committee of the City Council, and about to be unanimously elected Lord Mayor, with being head of a firm which had furnished over \$20,000 of material to corporations that had taken contracts for his committee, and for the Gas Committee. The auditor proved his charges last fall, the alderman resigned, paid a statutory fine, abandoned his candidacy for the Lord Mayoralty, and retired permanently from public life, while the council resolved that henceforth no man should be a public official who was even indirectly interested in companies that were selling supplies to or making contracts with the municipality. Yet with even such a magnificent system of fearless, independent local auditors, England, as we have seen, is moving strongly toward rendering universal that system of national audit of local accounts which now prevails in all its counties and parishes, and all save the largest of its towns and cities.

MUNICIPAL ACCOUNTS AND STATISTICS IN CONTINENTAL EUROPE.

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It is not intended in this paper to undertake anything like an exhaustive discussion of the subject announced. That would require a much more extended account than there is time for here; and, moreover, the writer cannot pretend to any personal and local investigation of the matter. All that will be attempted is a statement of some of the most salient facts and features of the systems of municipal accounts and statistics in the more important continental countries—France, Italy, Germany and Austria—emphasizing under each country the particular feature that is most characteristic. It should further be stated that the writer must not be understood as advocating all of the devices and methods mentioned. The paper is descriptive and not hortatory.

FRANCE.

In France, as we shall see, the collection and publication of uniform municipal statistics is as yet but slightly developed. On the other hand, there is a highly organized system of central control and central audit of municipal accounts. The greater part of this division of the subject will therefore deal with the system of finance administration, under the three heads of Budget Procedure, Management of Municipal Funds and Central Audit of Accounts.

Budget Procedure.—In the French cities and communes, the first step in the adoption of the budget is the preparation of a provisional budget by the mayor, which is presumably in the larger cities based on estimates from the administrative bureaus. There is in the law a provision that if the mayor does not act in this

matter, the prefect of the department may prepare the provisional budget through a special delegate. This provisional budget is presented to the Municipal Council in the early summer, with the accounts for the preceding year. It is then discussed in detail at the annual session of the council (usually in May), which may last for six weeks; and after discussion the budget is voted by the council. Before this budget goes into effect, however, it must be approved by the higher administrative authorities; by the prefect of the department in most cases, but for those cities whose ordinary revenue is 3,000,000 francs a year, by the President of the Republic, on the proposition of the Minister of the Interior. There are now eleven cities in the latter group: Paris, Lyons, Marseilles, Bordeaux, Lille, Toulouse, St. Etienne, Nantes, Le Havre, Rouen and Roubaix. For this administrative examination and approval, the budget, as voted by the council, is transmitted by the mayor to the sub-prefect, accompanied by the accounts for the preceding year, the definitive budget for the current year, the report of the mayor to the council, the discussions in the council, and detailed statements in reference to each item in the budget. The various documents are forwarded to the prefect, with the advice of the sub-prefect. In the cases of the eleven largest cities, the documents must again be forwarded to the Minister of the Interior with the observations of the prefect.

The administrative control over the budget is for the purpose of correcting errors in the estimates of revenues, and to assure the execution of laws and administrative regulations in reference to expenditures. In the matter of revenues, the prefect, or President, may increase or decrease the estimates for particular items, and add sources of revenue which have been omitted. In the matter of expenses, the higher authority may reduce any item, subject to two important exceptions: when all the obligatory expenses have been provided for and there are no extraordinary receipts, no reductions can be made; and the allowance for unforeseen expenses may be reduced or rejected only if the ordinary revenues, after satisfying all obligatory expenses, do not leave a sufficient surplus. The higher authority cannot increase the optional expenditures nor add any new item of that nature, but has power to insure adequate provision for all the obligatory

expenses, subject, however, to elaborate regulations to maintain the rights of the communes. Additions for such obligatory expenses can be made only after a formal demand has been made to the Municipal Council for a special deliberation on the subject; a prefect's order requiring an addition must be issued in the Council of the Prefecture; and additions for obligatory police expenses in all cities of over 40,000 population should be made by a presidential order reported in the Council of State. If necessary to secure revenue for such additional expenses, the prefect or President may require an additional tax or loan.

The extent of this control over the budget is indicated by a comparison of the obligatory and optional expenditures; and the following list will show that the obligatory list contains most of the important objects of expenditure:

OBLIGATORY EXPENSES:

- Maintenance of City Hall and repairs of public buildings.
- Preservation of communal archives and bulletin of laws.
- Census and electoral assemblies.
- Civil registers.
- Salary of municipal receiver.
- Salaries of police and watchmen.
- Quarters for justices of the peace.
- Public instruction.
- Care of dependent children and insane in department institutions.
- Maintenance of cemeteries.
- Rural roads; plans and grades of city streets.
- Payment of debt.

OPTIONAL EXPENSES:

- Maintenance of street pavements.
- Maintenance of fire engines.
- Public lighting.
- Poor relief and subventions to hospitals.
- Salaries of special teachers in elementary schools, for singing, drawing and gymnastics.
- Supplement to salary of priest or minister.
- Public celebrations.
- Unforeseen expenses.

Management of Municipal Funds.—The municipal funds are received and paid out by an official known as the Municipal Receiver. In small communes the local collecting agent of the national revenues, known as the Preceptor, acts also for the local treasury. But in any city where the ordinary budget is over 300,000 francs; and by the President, on the proposition of the Municipal Council a special municipal receiver. This officer is appointed by the prefect in communes whose revenue is less than 300,000 francs; and by the President, on the proposition of the Minister of Finance, in larger communes. In either case the Municipal Council submits three nominations; but the appointing power may decline to appoint either, and if no acceptable names are presented, may decline to make any appointment, leaving the municipal finances in the hands of the preceptor.

The receiver or treasurer is immediately responsible for the collection of the revenues, under the surveillance of the mayor, and has the authority and duty of enforcing all payments due to the municipal treasury. He has also some control over payments; but the primary responsibility for these rests with the mayor. Only in Paris is there a controller, appointed by the Prefect of the Seine. Elsewhere warrants for payments are issued by the mayor, and the municipal receiver may refuse payment only, (1) if they are not drawn on a definite account, or exceed the appropriation for the account; (2) if the proper documents are not attached; or (3) if there are no funds in the treasury.

Both mayor and receiver are required to keep detailed books of accounts; and these two sets of accounts act as a check on each other. Each officer must submit an annual detailed report of receipts and expenditures, showing under each item the budget estimates and the actual transactions. These reports go to the Municipal Council, which examines them in connection with its study of the budget for the coming year. But the more important examination and audit is that made by the higher administrative authorities.

Central Audit.—The accounts of the mayor receive their final examination and approval by the prefect; and this examination seems to be simply a comparison of his accounts with those of the receiver. The latter are subject, after the examination by the

Municipal Council, to another administrative examination by the Receiver of Finances (an agent of the National Finance Ministry), and then to a judicial audit by the Councils of Prefecture for small communes, and by the National Court of Accounts for all communes whose income is over 30,000 francs a year.

While for the great majority of communes the final audit is performed by the Councils of Prefecture, in the departments, the accounts of the 625 communes sent to the Court of Accounts (including roughly those with over 4,000 population) are of most importance to our subject. The Court of Accounts is composed of the first president, three division presidents, eighteen master councillors, twenty-six referendars of the first class and sixty referendars of the second class, all appointed for life by the President of the Republic. There is also a body of twenty-five auditors, young men in training for the higher positions. These auditors are selected by examination from candidates who are licentiates in law, at least twenty-one years of age and not over twenty-eight years. There is also attached to the court a public attorney and a marshal. The first president and public attorney have each a salary of 30,000 francs a year; the division presidents each 25,000 francs; councillors, 18,000 francs; marshal and referendars of the first class, 12,000 francs; referendars of the second class, 8,000 francs; auditors, 3,200 and 2,000 francs each.

The jurisdiction of this Court of Accounts includes the whole field of public finances in France: state, local and certain semi-public institutions. It has original jurisdiction over the accounts of the state and the accounts of the municipal receivers for communes whose annual revenue exceeds 30,000 francs. It acts as a court of appeal from the Councils of Prefecture in reference to the accounts of smaller communes. We are here concerned only with its examination of municipal accounts. When these accounts are received they are distributed by the first president to the referendars, under the regulation that no referendar receives the accounts of the same official twice in succession. The referendar must verify and audit all the accounts submitted to him and present a report to the division of the court to which the account belongs. This report is then examined by one of the six master councillors in the division, who also tests the refer-

endar's work by examining part of the accounts. The report of the councillor is then made to the division, and after discussion with the referendar, the decisions are made by a majority of the seven members of the division. The first decision of the court is only provisional, and the official whose accounts have been examined has an opportunity to submit an answer to any changes or disallowances in his accounts; but this must be submitted within two months, after which the court renders its definitive order. This can be attacked only on the ground that the legal formalities have not been complied with, for which an appeal lies to the Council of State. On all questions concerning the accounts themselves, the decision of the Court of Accounts is final. The orders of the Court of Accounts simply correct the financial statements, by ordering payments to be made to cover errors; but they cannot impose any penalty for fraud. If there is any evidence of fraud, the Court of Accounts reports the matter to the Minister of Finance, who refers it to the Minister of Justice, by whom action will be begun to bring the offender before the proper court.

The criticism is made on this system of central audit, that it does not establish an effective control over expenditures. No close inspection is made of the accounts of the *ordonnateurs*, or officials who issue warrants for payments, while these officials are members of the active administration. Thus in the municipal system the mayor, who is at the head of the administration, also performs the functions of a controller in American cities, and his accounts are not subjected to a detailed audit. It should, however, be said that the receiver plays a more important part than the treasurer of American cities; and on account of the elaborate control over the budget, is able to confine expenditures to purposes authorized.

Statistics.—This elaborate system of inspection and control would seem to render easy the collection and publication of comparative municipal finance statistics. There is published each year a large document on the *Situation Financière des Communes*, which gives certain statistics for each of the 36,000 communes in France. The items for each commune are, however, very few in number; the total ordinary revenue; the total ordinary expendi-

tures; the receipts from the two principal sources of income, *centimes additionels*, and *octrois* duties, and the amount of municipal debt. There are no details of expenditure, and no more information furnished for the largest cities than for the smallest commune in the country. The aggregate figures for the whole of France and for all of the communes in each department are of value, especially in noting the development over a considerable period of years. But there is no information given for any comparison of expenditures and municipal conditions in the larger cities.

The Paris statistical bureau does furnish much useful information about the metropolis of France. Its weekly bulletins show the weather records and vital statistics. A monthly pamphlet of forty pages summarizes the weekly bulletins, and gives further statistics in reference to food supply, gas and water supply, sewerage and scavenging and various other lines of municipal activity. The annual report of seven hundred pages quarto, with elaborate tables and lithographic charts, presents the activities of the municipal officials and of the community for the year in full detail.

ITALY.

In Italy the budget procedure and management of municipal funds is similar to that in France. There is also a National Court of Accounts, which has appellate but no original jurisdiction over the audit of local finances. The original audit is made by the Councils of Prefecture in the various provinces, but this does not involve any novel features requiring special attention.

Statistics.—The municipal statistics published by the Italian Government are much more valuable than those published by the French Government. They appear in a document known as *Bilanci Comunali*, published by the Ministry of Agriculture, Industry and Commerce, at almost yearly intervals since 1863. Figures are not given here for every one of the communes in the country; but they are given for every one of the sixty-nine provincial capitals, with aggregate figures for all of the communes in each province. The province capitals include most of the important cities; and the omission of separate statistics for the small communes is more than offset by the more detailed statistics

presented. There are altogether ninety items of receipts and two hundred items of expenditure, grouped in each case into various classes. Under revenue, the first main division is that of effective income, which is divided into ordinary and extraordinary, and the former into revenue from property, taxes and miscellaneous, with the specific items under each class. After this is another main division, containing income in the nature of capital; including loans, credits and property. Balances carried forward are distinctly separated from the other accounts in a third division; and in a fourth main division are shown the book revenues of transfers and the income of special funds not properly belonging to the municipal accounts. Under expenses, the first and most important main division is that of effective expenditure, divided into ordinary obligatory expenses, extraordinary obligatory expenses, and optional (*facoltative*) expenses. Each of these subdivisions is again subdivided into seven itemized sections, headed general expenses, local police and hygiene, public security and justice, public works, public instruction, ecclesiastical expenses and charities. After these effective expenditures are other main divisions showing expenditures in the nature of capital, debit, balances, and the expenses from transfers and special funds. The extended list of classified items follows:

I.—EFFECTIVE INCOME.

ORDINARY REVENUES:

Property Income:

- Rents from lands and rural property.
- Rents from buildings.
- Sundry rents.
- Sale of wood (cut from municipal estates).
- Canonical tithes and quit-rents.
- Interest on investments.
- Dues for pasturage, fuel or use of communal property.
- Sundry income from property.

Various Revenues:

- Assessments on teachers' salaries for pensions.
- Other assessments for pensions.
- Assessments for furniture in barracks and lodgings.
- Reimbursements
 - from the state for national highways.
 - from the province for provincial roads.
 - for maintenance of river banks and dams.

- Funeral services.
- Scholastic banquets.
- Sundry.
- Taxes and Licenses :
 - Duties on articles of consumption (*octrois*).
 - Municipal tax on lands and buildings.
 - Taxes on retailers.
 - Taxes on carriages and domestic servants.
 - Taxes on locative value.
 - Taxes on families or hearths.
 - Taxes on farm animals and beasts of burden.
 - Taxes on dogs.
 - Payments for occupation of public places.
 - Taxes on slaughter-houses.
 - Taxes (licenses) on inns, coffee-houses, etc.
- Total ordinary effective revenue.

EXTRAORDINARY REVENUES :

- For Obligatory Road Building :
 - Special assessments on users of roads.
 - Special assessments on the inhabitants.
 - Subsidy from the state.
 - Subsidy from the province.
- For Other Public Works :
 - Tolls on roads not obligatory.
 - Subsidy from the state.
 - Subsidy from the province.
 - Various and voluntary payments.
- For Public Instruction :
 - Subsidy from the state.
 - Subsidy from the province.
 - Voluntary payments and miscellaneous.
- Fines.
- Sale of furniture and chattels.
- Inheritances, legacies and donations.
- Reimbursements and miscellaneous.
- Total extraordinary effective revenues.
- Total effective income.

II.—MOVEMENT OF CAPITAL.

- Sale of Estates and Property :
 - Real estate.
 - Timber and wood (above ordinary annual cut).
 - Abandoned areas.
- Commutation of tithes, quit-rents and other dues.

Repayment of credits.
 Loans contracted.
 Total income by movement of capital.

III.—CREDIT BALANCES.

IV.—TRANSFERS AND SPECIAL FUNDS.

(*Partite di giro, e Contabilita speciale.*)

“Partite di giro:”

Discount on octrois duties.
 Premium on direct taxes, etc.
 Tax on movable wealth retained for account of the state.
 Reimbursements for maintenance of courts and jails.
 Reimbursements for transportation and lodging of soldiers, transportation of prisoners and indigents.
 Other reimbursements.
 Trust funds.

SUMMARY OF REVENUES:

Effective income.
 Movement of capital.
 Credit balances.
 Special funds.
 Grand total.

I.—EFFECTIVE EXPENDITURES.

ORDINARY OBLIGATORY EXPENSES:

Maintenance of Property:

Interest on loans.
 Interest on various debts.
 Tithes, quit-rents and other dues.
 Imposts and taxes (four subheads).
 Maintenance of communal buildings.
 Administration of communal estates.
 Fire insurance premiums.
 Sundry.

General Expenses:

Salaries.
 Pensions and allowances.
 Office rents.
 Office expenses (four heads).
 Octrois administration (municipal and farmed).
 Levy and lodging of troops in transit.

Legal proceedings.

Elections.

National celebrations.

Regulation of public clocks and miscellaneous.

Local Police and Hygiene :

Grant to provincial forestry guards.

Salaries and quarters for rural guards and urban police.

Street cleaning.

Public lighting.

Sanitary service for the poor.

Funeral and cemetery expenses.

Sanitary expenditures.

Public slaughter-houses.

Markets and fairs.

Sundry.

Public Security and Justice :

Quota towards cost of city guards.

Cost of judicial courts.

Transportation of imbeciles and insane.

Public Works :

Salaries and expenses of engineers, etc.

Maintenance of streets and squares.

City streets and bridges.

Rural roads.

Maintenance of hydraulic works.

Rivers and streams.

Harbors and maritime works.

Maintenance of river-banks and dams.

Maintenance of canals, aqueducts and public wells..

Sundry.

Public Instruction :

Salaries of teachers.

Salaries of janitors.

Expenses of supplementary personnel.

Contribution to pension fund for teachers.

Rent of school buildings.

Maintenance of school buildings, furniture, light and heat.

Obligatory gymnastics.

Normal schools.

Secondary schools (classical and technical).

Communal school banquets.

Other expenses.

Ecclesiastical :

Maintenance of church buildings and other obligatory expenses.

Charities :

Contributions for support of foundlings.

Maintenance of those unable to work.

Other obligatory items under special laws.

Total ordinary, obligatory expenses.

OBLIGATORY EXTRAORDINARY EXPENDITURE :**General Expenses :**

Adaptation of new quarters for offices.

Furniture for offices.

Repayments for expenses of communal councillors.

Unforeseen expenses.

Budget deficiencies.

Sundry.

Local Police and Hygiene :

Construction of cemeteries and morgues.

Construction of water-works.

Construction of public slaughter-houses.

Construction of isolation hospitals.

Sanitary expenses for epizootic.

Public Security and Justice :

Quota for new offices and furniture for courts and jails.

Public Works :

Construction of obligatory communal roads.

Construction of river-banks and dams.

Grant for harbors, lighthouses and other public works.

Streets and bridges not on obligatory roads.

Various public works.

Public Instruction :

Construction of school buildings and changes in school-rooms.

Furniture for schools.

Gymnastic schools.

Normal schools.

Secondary schools (classical and technical).

Extraordinary expenses for school banquets.

Sundry.

Ecclesiastical.**Charities.**

Total obligatory, extraordinary expenses.

OPTIONAL EXPENDITURES :

General Expenses :

Syndic's expenses.

Grants to invalid employes, and widows and children of employes.

Subsidy to the Society "del Tiro a segno."

Theatres.

Musical bands.

Reviews and journals.

Subscriptions to the National Society, Red Cross, Agrarian Committee.

Local Police and Hygiene :

Installing lights on streets and squares.

Sanitary services.

Catching and killing dogs.

Grants to druggists.

Ice and public baths.

Sundry.

Public Security and Justice :

Pay of firemen, quarters and furniture.

Purchase and maintenance of apparatus.

Other expenses of fire brigades.

Sundry.

Public Works :

Enlargement and improvement of public ways.

Construction of hydraulic works.

Construction of markets.

Construction of barracks and miscellaneous.

Public Instruction :

Children's asylums.

Evening and holiday classes for adults.

Elementary schools (expenses over obligatory requirements).

Pens, books and paper for poor scholars.

School festivals.

Normal schools.

Secondary schools (classical and technical).

School banquets.

Voluntary and semi-voluntary posts.

Agricultural, industrial, commercial, professional and musical schools.

Museums, art galleries and libraries.

Other educational expenses.

Charities :

Asylums for the aged.

Foundling hospitals.
Hospitals.
Other humanitarian institutions.
Medical aid to the poor.
Subsidies.
Burial expenses.
Sundry.
Total optional expenditure.
Total effective expenditure.

II.—MOVEMENT OF CAPITAL.

Municipal Property :
Acquisition of real estate.
Acquisition of credit instruments.
Extinction of tithes, quit-rents and other dues.
Creation of Credits :
Deposits in banks, savings banks, etc.
Loans on mortgages.
Extinction of Debts :
With bank deposits.
With other investments.
Sundry debts.
Total movement of capital.

III.—DEBIT BALANCES.

IV.—TRANSFERS AND SPECIAL FUNDS.

“Partite di giro :”
Discount on octrois.
Premium on direct taxes, etc.
Tax on movable wealth, retained for account of the state.
Expenditures for other communes for courts and sanitary services.
Expenses on account of the state for transportation of and lodging of troops and transportation of prisoners and indigents.
Others.
Trust funds.

SUMMARY OF EXPENDITURES :

Effective expenditures.
Movement of capital.
Debit balances.
Special funds.
Grand total.

EXPENDITURES ITALIAN COMMUNES, 1897.

	Ordinary obligatory <i>lire.</i>	Obligatory extraordinary <i>lire.</i>	Optional <i>lire.</i>	Total <i>lire.</i>
Municipal property ...	80,084,906	80,084,906
General expenses	72,163,330	17,779,249	7,304,552	97,247,101
Local police and hyg..	64,386,741	17,119,669	5,041,839	86,548,249
Security and justice ..	8,002,226	540,780	2,153,786	10,696,792
Public works	33,349,352	28,081,749	15,948,315	77,379,416
Public instruction ...	57,357,811	5,071,671	13,516,319	75,945,801
Ecclesiastical	2,448,794	1,000,765	..	3,449,559
Charities	10,345,231	857,366	12,111,897	33,314,494
Totals	328,138,391	70,451,249	56,076,708	454,666,348
Effective expenditures				454,666,348
Movement of capital				90,718,894
Debit balances				8,622,875
Special funds				92,915,433
				646,923,550

A study of these Italian municipal statistics reveals some features of the classification scheme which might be bettered, while the method of arranging the statistics for the larger cities is not adapted for ready comparisons. These are, however, minor matters; for the facts given enable each investigator with a little trouble to make arrangements and groupings to suit himself; and while the general scheme of classification is not adapted to American conditions, its details are suggestive and deserving of study. The lack of statistics of municipal debt is a more serious deficiency, and makes even the finance statistics incomplete in that important item. A more general criticism is the entire absence of anything other than finance statistics. Statistics of municipal equipment, and the work accomplished in various fields, would not only explain the finance statistics, but would add valuable information about the operations and activities of the Italian municipalities.

GERMANY.

In Germany, and notably in Prussia, the central control over municipal finances is much weaker than in either France or Italy; and there is consequently less compulsory uniformity of municipal

accounts. Nevertheless, the professional and permanent character of municipal administration has apparently secured a high degree of uniformity; and through the co-operative action of municipal authorities there is published for Germany the most valuable series of municipal statistics for any country in the world.

Budget and Audit.—The Prussian cities may be taken as the best examples of the system of finance administration. In these, the municipal budgets are drafted by the board of executive magistrates, by which it is presented to the elected council; and after full discussion the definitive budget is adopted by resolution of the council, without the necessity for preliminary examination and approval by the higher administrative authorities. After its adoption, however, the budget is submitted to the district board (*Regierung*), which may insert any item of obligatory expenses omitted in the budget, the city having the right to appeal from his action to the higher administrative court.

The management of the municipal treasury is under the general direction of the board of magistrates. The immediate management of the finances is assigned to a chamberlain or treasurer in the eastern provinces, in Schleswig-Holstein and Frankfort-on-the-Main; but in Hanover and the Rhine province this is one of the functions of the burgomaster. There are in either case various subordinate officers, such as collectors, bookkeepers and cashiers; but all are municipal officials, and there is no appointee of the central government like the municipal receivers in France.

The audit of accounts is also made by municipal officials. The board of magistrates makes the first audit, and presents the accounts, with its report and comments to the council. The council conducts a second examination and revision of the accounts, after which they are definitively adopted by resolution. In Schleswig-Holstein there is an audit made by a joint committee representing the magistrates and council; and the report of this committee is examined by each body and adopted. These examinations are not limited to proving the calculations and comparing the accounts with the vouchers; but are also to test the legality, methods and carefulness of the entire administration. There does not appear to be any such official as the American comptroller, whose voucher to an account is necessary to its pay-

ment. While there is no audit of the accounts by the higher administrative authorities, a copy of the accounts (in the western provinces) or of the resolution of the council in the eastern provinces) must be sent to the district board (*Reigerung*) for inspection; and that board can enter a protest against any obvious mistakes.

Statistics.—The Prussian Government has in the past published some statistics of municipal finance, prepared probably from the budgets and reports sent to the district boards. But this information is very meagre, is even less valuable than that published by the French Government, and is not systematically continued. The important statistics for Prussian and other German cities are prepared and published by the municipal authorities. Most of the large German cities have a special bureau of statistics as a permanent feature of the municipal organization. They are to be found in Berlin, Hamburg, Munich, Leipzig, Dresden, Breslau, Cologne, Frankfort-on-the-Main, Magdeburg and other cities. All of these offices are active in compiling and issuing statistical bulletins and reports. Thus the Berlin office publishes weekly reports, and also a Statistical Year Book of five hundred pages, with statistics on population, marriages, births, deaths, local movements of population, weather records, land and buildings, street services, industrial conditions, food supply, prices of articles of consumption, local freight traffic, charities, police and prisons, education, religious associations and finances.

But these German municipal statistical bureaus have done more than prepare statistical reports for their respective cities. The directors of the bureaus in the various cities have formed themselves into an association which meets annually, and they compile and issue a Statistical Year Book for German cities, with comparative statistics for all the large cities. This work first appeared in 1890, with subsequent issues at almost yearly intervals. It is prepared, not by any officials of the state government, but through the joint efforts of the heads of the municipal statistical bureaus, under the general editorship of M. Neefe, director of the bureau in Breslau. The Year Book is composed of a large number of chapters, each dealing with a special field of municipal activity. Thus there are chapters on fire protection, street cleaning, street lighting, parks, charities, water-works, baths, savings banks,

schools, libraries, taxation and municipal debts. Still other chapters give information about the commercial and industrial interests of the city, such as those on trade and shipping, post and telegraph business, local transportation, buildings, population and vital statistics. The first number contained seventeen different chapters, but later numbers have contained a larger number of subjects, and the recent volumes have each about thirty chapters.

Each chapter is prepared by one of the collaborating editors, who frames the tabulation schemes and collects the data from the various cities. The tables thus prepared contain detailed information of the equipment, operations, and also the financial relations of each branch of municipal activity. Take for example the chapter on water-works. After the introductory paragraphs of explanation, there are several tables dealing respectively with the equipment of the works, consumption of water and financial statements. The items under each head (fifty in all) are as follows:

EQUIPMENT OF WATER-WORKS:

- Number of works.
- Length of supply mains.
- Length of distributing pipes.
- Increase during the year.
- Number of buildings with water connections:
 - In the city.
 - Outside city limits.
 - Increase during the year.
- Number of buildings not connected at end of year.
- Number of public stations connected.
- Number of drinking fountains, etc.

WATER CONSUMPTION:

- Daily capacity of works.
- Total water supplied.
- Percentage of increase over previous year.
- Ratio of supply to capacity.
- Amount of percentage of water consumption for:
 - Public purposes.
 - Municipal buildings and institutions.
 - Private consumers.
 - Water-works plant and waste.
- Per Capita Daily Consumption:
 - On basis of total supply.
 - On basis of supply to private consumers.

FINANCIAL STATEMENTS:

Income:

- Balance from former year.
- Purchased water.
- Rent of water-meters.
- Sale of stores and materials.
- Investments and loans.
- Miscellaneous.

Expenditures:

- General administration.
- Operating expenses.
- Maintenance of buildings, machinery and mains.
- Extensions and purchases of land.
- Interest and amortisation of debt.
- Sinking funds.
- Miscellaneous.

Excess of income over expenditures.

Ordinary income (water rents).

Ordinary expenses (operation and maintenance).

Surplus of ordinary income over ordinary expenditures.

Water rents per cubic meter of water to private consumers.

Total income per cubic meter of total water supplied.

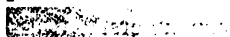
Cost of operation per cubic meter of total water supplied.

Ordinary expenses per cubic meter of total water supplied.

Value of works (book value and estimated value).

Rate of profit (calculated on surplus of ordinary income over ordinary expenditures).

The Year Book deals with cities of over fifty thousand population. There are now fifty-five cities of this class in Germany; and from forty-five to fifty-two are reported in each chapter, representing all of the German states. The legal difficulties in the way of compulsory uniform accounting for all of the German states are much the same as exist in the United States. Yet without any general regulation to secure uniformity, or even any compulsory uniformity in particular states, the accounts and records of the various cities are kept so nearly on the same basis that it is impossible to prepare these elaborate tables, which are more complete than the information for the cities of any other country.



There are, however, some deficiencies and defects in this work. The arrangement of the cities in the various tables is now alphabetically, a system by no means so effective for purposes of comparison as an arrangement in the order of population. More serious is the absence of any summary tables showing the total receipts and expenditures for each city, so that the financial statistics are not so complete as those for Italian cities. Nevertheless the Statistical Year Book of German cities presents so much other information that it is by far the most complete and most valuable presentation of municipal statistics in existence. And that this success has been accomplished through the voluntary co-operation of municipal officials, without the pressure of the general government, is an encouraging fact to those interested in securing similar municipal statistics for American cities.

AUSTRIA.

Statistics.—The *Oesterreichisches Stadtebuch*, prepared by the Austrian Statistical Central Commission, the seventh volume of which appeared in 1897, presents at the outset a series of summary financial tables for fifty of the largest cities in the Austrian monarchy, arranging the cities in order of population. These tables show statistics for each year of the preceding decade, thus making possible a rapid comparison of the development of municipal finances within that period.

In all other respects, however, this work is distinctly inferior to the German Statistical Year Book. Detailed figures are given for twenty-two cities; but in place of chapters on the various municipal functions, with comparative tables, there are selections on each of the cities, each section being subdivided into divisions on separate topics. If the information for each city were complete, this method of arrangement would make the volume of little more use than a series of municipal documents for each city bound in one volume. But the report for each city gives details on only a few subjects. Population details, educational statistics, figures of food consumption and financial statements are given for each city at length. In a few cases some other matters are included, such as poor relief and public lighting; but these are exceptional, and there is no attempt to make the information for each city cover all the undertakings of the municipality.

THE MUNICIPAL ACCOUNTS OF CHICAGO.

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Municipal history has not been able, as yet, to trace the origin of municipal accounting. Accounting records, on the other hand, are a principal source of municipal history. When we have exhausted our chronology of civic life, we are still in a civic world of indefinite antiquity, but of very definite accounting methods covering adequate systems of financial administration. Ur of the Chaldees and her daughter cities, buried in their own *débris* and silent as to their beginnings and the establishment of primitive urban organization, are sending out from their desert tombs innumerable records, inscribed on burnt clay and dated in such and such years of unknown kings, of municipal debit and credit startlingly modern in every material aspect. Away off eastward of Mesopotamia, the Chinese know more about their old counting frame than they do of their traditional first horde of wanderers in the forests of Shan-se—"houseless, naked, cold, eating raw meats and roots and insects." And across the wide waste of the Pacific the knotted strings of the Peruvians recorded municipal revenue much more reliably than municipal history. Westward of Babylon, a brighter star would seem to have taken its way. Xenophon tells us that Croesus, in surrendering his immense riches, gave Cyrus an exact account in writing of the whole, containing the particulars with which each wagon was loaded, and that they were delivered thus at the palace in Babylon. Even the poor perishable papyrus can tell us more of Egyptian accounting than the pyramids can of Egyptian origin. Wax tablets are coming down from the ages to assist us in reconstructing the financial routine of classic municipal administration. And the split sticks and other paraphernalia of the old English exchequer take us back to the very forks of the

road in our research into our own ancestral financial history; beyond which we know not whether to turn to the Briton, the Saxon, or the Norman.

With all this, remembering that many of the oldest existing records are the accounting records of ancestral cities of long-gone civilizations, it may seem incredible that we know so little of early American accountancy. The perishability of paper, and the little interest taken until recently in municipal study, will partly account for our present want of historical knowledge of American municipal accounting; while the extreme simplicity of pioneer life, and the great fire of 1871, will further explain the absence of early municipal records of Chicago. The corporation records were at first kept, for want of books, on loose pieces of paper. The city's account-books that had accumulated to October, 1871, were destroyed in the great fire by which the municipality lost two and a half millions of dollars. Many county account-books of interest to the city have disappeared in other ways; special assessment collection cash-books, for instance, having been quadrennially destroyed. Neither county nor city treasurer has any ante-fire records. The city comptroller's accounting records were all destroyed in the fire; and the new set was based on the printed report for 1871.

While the constitution of the United States was being drawn up in convention at Philadelphia, the ordinance establishing the Northwest Territory was passed by Congress in the City of New York. This territory was afterwards divided into Ohio and Indiana. From the territory of Indiana were formed Indiana, Michigan and Illinois. The territory of Michigan was again divided into Michigan and Wisconsin. Wisconsin would have included Chicago, but that upon the admission of Illinois into the Union the boundary line was shoved north to give the new state a few miles of lake frontage. And thus the chief lake port of the world is included in Illinois. Chicago to-day is about equal in numerical size to all Wisconsin, or to all Illinois outside of the city.

Illinois became a state in 1818. The present constitution was adopted in 1870. Certain provisions of this constitution have very seriously affected the accounts of the City of Chicago. The provision relating to the limitation of municipal indebtedness is

indefinitely worded, and has been a source of serious complication and litigation. Laws have been founded upon it by the State Legislature, and have been declared unconstitutional by the Supreme Court. According to a recent decision, the debt limit is 5 per cent not of the full valuation of taxable property as ascertained by the assessment, but of the assessed valuation itself; or, 1 per cent of the full value of assessed property. Chicago has already exceeded the limit as thus defined; and so one of the richest cities in the world, prohibited by state authority from issuing bonds for necessary improvements, remains, as has been stated by Mr. Giles of the Civic Federation at a former conference of the National Municipal League, in a deplorable condition; with dirty streets, in need of light, having no garbage or street-cleaning plants, with public buildings in shocking need of repair, and with life, property and health insufficiently protected. A most unhappy result to Chicago of this lingering paternalism is an unwilling parsimony of local financial administration treading dangerously close upon the heels of the integrity of municipal accounting. But accounting or no accounting, it would seem there are some things a municipality must have, and to have must buy, and to buy must pay for. Treasurer M'Crae, of Edinburgh, used to tell of a new member of the council under the old system who moved to strike out an estimate of fifteen thousand pounds for wood for paving a street. "You may move as you like," said the convener of the committee, "but the wood has been bought and paid for." And so, account as you like, but Chicago knows how to anticipate revenue; or, if there is no money in the special wood fund, to generalize it out of any special coal fund that may be handy. Anticipatory scrip was issued in the year of town organization; it was common in the panic year when the town became a city; it is issued to-day in the form of temporary tax warrants and water certificates; and its market price has long been a kind of barometer of Chicago's credit.

Cook County was organized in 1831, and Chicago became the county seat. The revenues were derived from licenses and a direct tax levied by the court. One-half of 1 per cent was levied "on town lots, on pleasure carriages, on distilleries, on all horses, all mules, and all neat cattle above the age of three years; on

watches and their appurtenances, and on all clocks." This was the simple method of seventy years ago. At present, according to a recent statement by the Citizens' Association, Cook County has three hundred and seventeen separate tax-imposing bodies, consisting of county, school districts, villages within towns, town governments, park boards, and the sanitary or drainage district. Many of these, some partly, some wholly, are within the city, while several of them, according to Professor Gray, of Northwestern University, go beyond the boundaries of the county itself. Their relationships to one another present a composite picture of independent, semi-dependent and dependent financial administration anything but reassuring to the student of municipal accounting. It is said that this anomalous administration might legally hypothecate 25 per cent of the assessed valuation of property in Cook County. These Cook County conditions amply justify the statement made by Mr. Hurd at the Milwaukee Conference of the National Municipal League: "Some two years ago," he says, "I was talking with the President of the Board of Cook County Commissioners on the question of reform accounting. He gave it to me as his opinion that such a system once inaugurated would save the taxpayers of Cook County at least a million dollars a year; and I have no doubt that that opinion is within the limit."

Chicago, before the organization of Cook County, was successively in the Counties of St. Clair, Madison, Clark, Pike, Fulton, and Peoria. The local tax collector in 1823 defaulted in the sum of \$11.42; and this—the total levy—being one-half of 1 per cent of \$2,284, we thus know the full valuation of all real and personal property, except household goods, at that time in the little settlement. Under a general act of 1831, the first meeting of the board of town trustees was held in 1833. The first city charter was granted in 1837; a second charter in 1851; a third in 1863, and the fourth and present city charter, so called, that is, the general Cities and Villages Act of 1872, was adopted in 1875. The total population in 1812, swept away by the Indian massacre, had lived in five houses; at the time of town incorporation the population was less than one hundred and fifty; the Cities and Villages Act has seen Chicago's population increase sixfold to its present two millions—not counting, of course, an immense floating

population. Doctor Shaw has selected Chicago, Liverpool and Glasgow as excellent instances of the self-made, self-located modern commercial city, as contrasted with great urban communities like New York and London; which latter have assumed, he says, "vast proportions and importance in spite of themselves and without the application of any organic municipal energy."

According to an unpublished book kindly loaned me by Doctor Maltbie, the original town area was three-eighths of a square mile. Numerous extensions have brought the city's area to one hundred and eighty-seven square miles, with an extreme width of fourteen and one-half miles and an extreme length of twenty-six miles. Pre-existing organizations, however, have been left intact, and other corporations, with municipal powers, have been added; so that within this territorial extent of Chicago is now found an aggravation of Cook County chaos such as no man has yet been able to describe.

Nobody, for example, agrees with anybody else as to how many taxing bodies there are in Chicago. Professor Gray says nineteen; peculating, wasting, quarreling, fighting, and constantly appealing to the legislature and the courts. Mr. Giles says three distinct governments, with a dozen different taxing powers; unequally distributing, for the raising of insufficient revenues, burdens of taxation in many cases greater than the property can bear. The lawyers of the Civic Federation sum up twenty municipal or quasi-municipal corporations, some partially dependent upon the city machinery, others entirely independent and acknowledging no authority to control their actions except the constitution and the general assembly. The recent report to the Merchants' Club says that "there are at least twenty-one different taxing bodies in the city: the city council, which levies taxes for city, school and library purposes; the drainage board; the state; the county; the North, South and West towns, and the towns of Lake View, Hyde Park, Lake, Jefferson, Evanston, Maine, Norwood, Niles, and Calumet." And this list might have been extended; the Board of Education and the Library Board, for example, being practically independent as taxing institutions. Some of the multifarious taxing bodies in Chicago are of no earthly use except to be buried. Many of them overlap one

another, while others form an imperfect geographical system; thus producing, by overtaxation on the one hand and exemption on the other, a most unequal burden. A few of them extend beyond the city limits. One, indeed, goes beyond in one direction and comes short in the other. None of the independent bodies is conterminous with the metropolis. On the whole, the resulting "shifting and incidence of taxation" is worthy of another essay from the pen of Doctor Seligman. It has been said that one may take his stand on any street corner in Chicago and find himself amenable to at least five different governments; and that "each one takes him and filches him, but gives him mighty little in return." The comptroller, in his annual report recently issued, says that "if the different taxing bodies, that is, the park boards, the county, the town, the schools, the library and the drainage boards, were consolidated into one government in the present limits of the City of Chicago, not only would there be centralized responsibility in the administration of public affairs, but there would also be great saving in the cost of this public administration." And the Mayor of Chicago, in his last annual message, insisting upon a civic effort to make Chicago "a cheap city to live in and to do business in," and commending the present insistent agitation for municipal consolidation, urges the "welding of the present taxing bodies exercising municipal functions within the limits of Chicago into an harmonious whole, by which useless officers may be dispensed with, and all the various municipal functions be combined intelligently under individual control." Doctor Sparling well expresses the opinion of the local officials, taxpayers, business men, and students of municipal finance, when he says that "the conditions prevailing in the City of Chicago must find their ultimate solution in a consolidated and simplified charter, which will subordinate all the varied administrative interests, scattered among towns, parks and municipality, under one central responsible organ." It will be readily understood that the administrative confusion resulting from the presence of this collection of heterogeneous intramural bodies, and from the city's crude relations to the county and the state, has a vital, not to say fatal, connection with Chicago's accounts and methods of accounting. No one knows better than the officials of Chicago's Department

of Finance the truth of Mr. Ford's remark in the current *North American*, that it is "no easy task to shake the grasp of the country districts from the throats of the cities."

The question of reform in municipal accounting became prominent in Great Britain about seventy years ago. The *Quarterly* for January, 1834, urged the necessity of "requiring the parish accounts to be kept in a methodical and accurate form, such as will convey clear and correct information to those who audit them, as well as to parliament and statisticians investigating the subject, on the real character of the several payments. At present," the writer continues, "all is confusion and perplexity. Each parish—nay, every successive overseer—has his own method of entering and keeping his accounts, intelligible to no one but himself." The movement throughout America, so far as it has yet made headway, is due in very large measure to the efforts of the National Municipal League; and "Chicago," said Mr. Sikes, at the Columbus Conference, "should get as much benefit from the League as any other city in the country." For, as Doctor Wilcox has written, "Chicago furnishes perhaps the best example of any American city where localism"—and he might have added paternalism—"has brought confusion and inefficiency." The application of cold accounting to the burning question of municipal reform in Chicago is due to the business sagacity of the Mercants' Club, a young and sturdy organization of public-spirited citizens, working in harmony with the efforts of many of the city officials, including the mayor and the comptroller. Some months ago the Merchants' Club requested of the mayor permission to have an investigation of the city's accounting methods made by a firm of experts. The investigation occupied about six months. The report was presented by the Club to the members of the city council. An order in council was thereupon passed, calling for a mixed commission to devise a plan for a department of audits and accounts. The order has been vetoed by the mayor on the ground that the Haskins and Sells report calls for immediate action by the existing finance committee, and not by any dilatory mixed commission; which, the mayor says, would only "discover the same old mare's nest, while but little real benefit to the city would be accomplished." At last accounts, therefore, the question of reformed accounting in

Chicago was "up to" a standing committee of the council itself for immediate action.

Municipal accounting, as distinguished from general business accounting, is non-capitalistic; that is, the city's financial affairs do not involve, as their chief feature, the outlay of capital with a view to profit. All governmental accounts, however, ought to be controlled, organized and handled in view of efficiency of financial administration; and should enable any intelligent party in interest to follow the flow of money from the time it leaves the pockets of the taxpayers to the time it enters the pockets of those for whose services and supplies it is paid out. And this control, organization, handling and showing of accounts will be more or less dependent upon the organization and administration of the city government itself; and often upon traditional customs and habits involving, sometimes, a kind of subserviency to parties not properly in authority. Chicago has a unicameral council consisting of the mayor and seventy aldermen, who, with the clerk, attorney and treasurer, are elected, while all other officials are appointed. But the mayor's appointive power, seeming to promise a definite placing of administrative responsibility, is restricted, and his accountability vitiated, by an opposing power of aldermanic approval and disapproval. Nearly all the city officials are salaried; a few receive a percentage compensation. A salary, as compared with the free service of the League's ideal alderman, may not be the fittest compensation. But certainly the survival of the very unfittest is in the fee system now in operation in the office of Chicago's treasurer; who, with his official force, may be said to be almost another semi-independent taxing body. The comptroller, appointed by the mayor with the permission of the seventy, is theoretically at the head of all the fiscal affairs of the city; and the department of finance might reasonably have been held responsible for the existing condition of the accounts, had not an accumulation of various complexities rendered it impossible for any set of men to bear upon their shoulders the blame that would accrue from the present state of the books. All moral charges may be laid to what by courtesy we must call the system or the methods; credit should be written up in full to the individuals, official and lay, who are laboring to bring about a betterment of Chicago's financial administration.

The taxes of the city proper, except delinquent taxes, are payable to twelve town collectors; who are supposed to turn them over to the city treasurer upon demand made according to the existing revenue law. And these city collections by the town collectors appear in lump in the annual report of the county collector. The town collectors, however, delay these remittances to the utmost; thus profiting by the use of the money; and the city, while waiting, borrows money at a high rate of interest. For this equivocal service these town collectors are allowed a percentage up to a certain maximum; but for some years they have retained the percentage on the entire collection; the excess for the last five years, over and above \$90,000 allowed them by law, being nearly \$300,000. This irregularity forms one of the strong arguments for the utter abolition of the whole township system within the limits of Chicago.

Delinquent taxes and tardy special assessment collections go to the county collector, who is also county treasurer; who should remit to the city treasurer every ten days. The county collector, as in the case of the town collectors, also retains the use of the cash in his hands much longer than the period allowed by law; while the city borrows at such interest as it may. He has customarily reported tax deficiencies and losses to the extent of about half a million dollars a year; and these, for the past decade, have been charitably written off without question or verification. This custom is one of the arguments for a reorganization of the county and for the establishment of a board of audit in the city.

Revenue from licenses, water rates, special assessments, and miscellaneous sources, including income from franchises, is collected by various city officials and is deposited with the treasurer and reported to the comptroller; except that the comptroller collects the miscellaneous revenue himself. Some of these receipts are very tardily reported, and some are not itemized. The franchise books are in a chaotic condition; their accounts are not audited, and a few of the large debtors make no payments for five or more years at a stretch. The condition of the special assessment accounts has rendered necessary the suspension of all payment on rebates, amounting to some millions of dollars, until a complete reconstruction of the whole from the date of the great fire shall

have been effected. "Too severe a criticism," said the comptroller in his report for 1897, "cannot be made upon the lack of system prevalent and the absolute neglect to post the books and accounts in the special assessment bureau of the department of public works. It was discovered that the books and accounts of that bureau were more than five years unposted, and your comptroller was forced to refuse to honor any vouchers for the payment of rebates because of his inability properly to check the correctness of such vouchers from the books of that bureau." The reconstruction of these special assessment accounts is now in progress in the city hall under contract with the city executive. The work will occupy some forty men about ten months, at a total cost of \$65,000. It necessitates a patient and extensive research into original documents and records, and a radical re-adjustment and complete re-writing of the accounts. A perfect record is to be made of every warrant, and the accounts are to be so arranged as to make them convenient for public use, "so that whenever inquiry is made by a citizen entitled to the information, the record of warrants and all other records relating to the special assessment accounts will be accessible and convenient for ready reference." This reconstruction will enable the comptroller to resume payment in the matter of the special assessments and to make full settlement from the time of the fire of 1871.

The city's expenditures are incompletely recorded; debits are often wanting in detail; and even the manner of payment is in some cases almost absurd. The incompleteness is largely due to lack of full departmental reports to the comptroller; the want of detail is traditional; and the methods of payment are conveniences of the treasurer's office, which is run as a quasi-private counting-house. The police, for instance, are called off post to receive their little envelopes at such places as the treasurer may choose where to station his pay-wagon. The constant insubordination and assertion of independence on the part of the treasurer has led to a movement to extend the abolition of the odious fee system to his office, and to put his services on a salary basis. Under the present fee system, he is bonded in a sum of fictitious importance; which, however, really renders him subservient to a clique of private bondsmen. The suggestion is, that as a properly amenable

salaried officer he be bonded in a reasonable amount underwritten by a security company whose interest it would be to extend to him all the benefits of a personal audit, expecting to pay the bond honestly in case of default. Chicago's accounts, considered in their entirety, are wanting in uniformity. One department has one method; another, another; and sometimes an experimental method will be adopted, soon to be superseded by another as evanescent as itself. An outline of a well-rounded plan of accounting, in harmony with the system suggested by the National Municipal League, has been laid before the Merchants' Club, and will doubtless be adopted, sooner or later, by the municipal authorities. Responsible control of accounts, also, as well as uniformity and unity, is indispensable to the safe handling of public funds; it has been further urged, therefore, as already intimated, that the council make immediate provision for the establishment of an adequate system of surveillance under a bureau of audit. The absence of a settled system of audit of Chicago's accounts is directly responsible for the interminable, tedious "battle of the books" in which many an honest reputation has been wounded, if not killed outright. Officials have wrestled with the crude accounts as best they might, and each has come to his own conclusion and has reported, one one amount and another another, until nobody knows whether debts are increasing or decreasing, or what the real expenditures have been, or what the assets are worth. Only a few days ago, three sets of books were found to contain the same account, in which each differed from the other two; and neither one of them was correct.

The recent investigation of Chicago's accounts has shown that about a half million dollars a year can be saved to the municipal treasury by the immediate adoption of certain reforms comprehended within the legitimate sphere of the higher accountancy. These reforms would include a proper investment of the sinking funds now in the hands of the treasurer; the doing away with the fee system prevailing in the treasurer's office; the enforcement of the present laws relating to the cost of gathering the taxes; the prompt collection and distribution of special assessment warrants; the auditing of statements made by tax-gatherers; the better accounting for taxes stayed and for tax purchases; and a

general change in the method of collecting taxes and special assessments. Beyond these reforms, an enforcement of the ordinances relating to franchise collections is urged. These suggestions are over and above the recommendation to establish an up-to-date system of accounts and audit; the value of which is beyond all estimate. The money value of the elimination of the town organizations would be at least a quarter of a million of dollars a year. The examination has further shown the wisdom of the present agitation for a new charter and for such constitutional amendment as will put the city in the way of looking after its own finances in its own way. The Honorable Lyman J. Gage has said that at least 80 per cent of the people of his adopted city of Chicago desire honesty in administrative conscience; and this fact would seem to knock away the underpinning from the only respectable argument for state interference in the city's financial administration. Besides, as the same eminent authority has reminded us, "there is no reason to suppose that if the people had not virtue and capacity enough to get good government for themselves, they can get any help from the people of the rest of the state, who are not so very much more virtuous or wise, and who have immeasurably less at stake." It is therefore devoutly to be wished that the popular agitation for legislative enactment and constitutional amendment looking to Chicago's financial prosperity may be crowned with the success due to the stubborn exhibition of municipal patriotism on the part of its citizens.

Chicago's motto is, "I will!" Civic pride is organized in numerous clubs, associations, leagues and federations of business and professional men laboring harmoniously for the betterment of municipal conditions. Nobody in Chicago is ever discouraged; and the more dolefully you talk, the more they pile up examples of cities that have been reformed by keeping everlastingly at it. These gentlemen read with gusto such words as those of Mr. Martin, of London, in the current issue of the *Forum*: "Americans," he says, "who work for a nobler city government regard the London County Council as a pattern of ability, integrity, and enterprise that can only be vainly longed for on this side of the Atlantic; but, for their encouragement, they should recall the fact that not many years ago the government of London was the worst

in Great Britain—unrepresentative, backward, dishonest—a subject of scorn and scoffing, and a by-word amongst provincial rulers.” And Mr. Martin ought to know; for Mr. Martin was an official of a borough in which another “council of seventy” has taken the place of about a hundred and fifty members of extinct bodies. Glasgow, also, has the respect of Chicago reformers; but we have been reminded, quite recently, by a delegate from the good Quaker town of Richmond, that people come from Glasgow and go to Chicago, and do not go from Chicago to Glasgow. And this assertion of Mr. Foulke’s was corroborated in the person of a reverend Glasgow-Chicago gentleman who heard the statement. Chicago has agitated so many reforms, and has so often succeeded, that a member of the real estate board of that city, speaking at a former conference, said: “If you will come to Chicago, you will find in operation every system that has been outlined here as good.” This, as Mr. Farr was reminded, was somewhat of an overstatement. Much, however, has been accomplished; and still the agitation for reform goes on. And having now taken up the question of municipal accounting, and struck therein the keynote of present municipal reform, it may be confidently expected that the citizens of this great interior metropolis will persistently hammer away at it until there shall be a practical recognition of the vital connection between finance and accounts, accounts and audits, audits and reports, and reports and public confidence.

BANQUET SPEECHES.

The banquet tendered by the Good Government Club of Rochester to the National Municipal League was held in Fitzhugh Hall, Rochester, N. Y., on the evening of May 10, 1901, at 6.30 o'clock.

After the menu was served, Rev. Clarence A. Barbour, said: *Ladies and Gentlemen*—I find myself in a somewhat unique position to-night. I am so used to being introduced that to have the tables turned on me and have to introduce somebody else places me in a very difficult situation. I almost feel as if I were in the wrong place.

You know the story of the gentleman in the Hotel Cecil, London, who was a guest there with his wife. In the evening he left his wife in the room and went out somewhere to spend the hours, and did not return until early morning. When he returned he was lost in the mazes of the halls and corridors. At last, reaching what he supposed was his room, he rapped upon the door. There was no response. He rapped again. No response. He put his mouth to the keyhole and whispered "Honey." No response; then louder, "Honey." Still no response. Then again, "Honey!" This time a voice from the room said, "You bloomin' idiot, you're at the wrong room; this is no blasted bee-'ive." I assure you that I feel as if I was at the wrong room.

I am under strict orders not to make a speech, and I am not going to do it, although I never felt more like it than I do to-night.

These members of the National Municipal League have had, I trust, a pleasant welcome to Rochester. We have tried to make it so. We have been very grateful for their presence here. Rochester is not a large city, as you have no doubt found out, but it is not without its distinctions.

That reminds me of a story President Carter told me to-day. I hope he was not meaning to use it this evening.

PRESIDENT CARTER: Yes, I was.

He said a certain gentleman was very fond of imitating Daniel Webster, and used to give exemplifications of Daniel Webster's speeches when he was touring through New York State. He was especially fond of repeating one he gave in Rochester. In Rochester he is represented to have said this: "Ladies and Gentlemen—Rochester holds the proud distinction of having some Falls a hundred feet high. Ladies and gentlemen, Rome, the mistress of the world; ancient Rome, in the height of her power; Rome, in all her glory, never had falls one hundred feet high." So Rochester is not without her distinctions. But Rochester has other distinctions; she has one distinction that makes it peculiarly fitting that she should receive the National Municipal League. One of the fundamental

principles of the League is the divorce of municipal politics from state and national issues, and Rochester has done that.

There is a large body of people in this city who know how to vote split tickets, and we are very proud of the fact. We feel that no national political party, in municipal affairs, has Rochester in its pocket; and I think this condition of affairs will continue.

Conditions are now better in Rochester than they were ten years ago. They are not now controlled by one man or six men, or fifty men or five hundred men; and that is due to the fact there has been a wide discussion of municipal affairs by the people. The result has been very greatly to the advantage of the city.

I would be false to my own feelings, and, I am sure, false to the wishes of very many in this audience to-night, if I did not say that I deplore, myself, as do many of you, the absence from this occasion of a gentleman who is held in honor and respect by all, and in very warm affection by very many of us, and in love by not a few; a gentleman who has had something to say and do with the betterment of our municipal conditions; who has always raised his voice for the better government of the city that he loves—Mr. Joseph T. Alling.

We are going to understand more and more what genuine good citizenship is. Love of country is not necessarily the best citizenship, because love of country can be selfish. Pride in country is not necessarily good citizenship, because love of country may become mere barbaric insolence. The truest citizenship, the most genuine patriotism, is that condition of mind, of heart, of action, when one begins to act for the good of the community, though even at his own personal loss; only that is the best citizenship.

But I must not stand between you and the distinguished gentlemen who are to speak to you. I have taken a great liberty. I have said to them; I have asked them to speak to you not to exceed fifteen minutes each; I do this in justice to them all.

The first speaker whom I have the honor to introduce to you is a gentleman who stands among the leaders of the American bar—perhaps as the leader of the American bar; a gentleman who has repeatedly represented the government of the United States upon most important occasions. May I express our great pleasure in welcoming him this evening. He will respond to the sentiment, "The National Municipal League." I introduce to you the Hon. James C. Carter, of New York City.

MR. CARTER. *Mr. President and Ladies and Gentlemen of Rochester:* Your Chairman has imposed upon me a very difficult task. He has asked me to speak to the sentiment, "The National Municipal League," and he has given me fifteen minutes to do it in. Many of you must have a painful consciousness, especially those who listened to me last night, that I cannot say anything about the National Municipal League in fifteen minutes. But I can, on behalf of the National Municipal League, express its, and my,

most cordial appreciation of the kindness and courtesy with which the National Municipal League has been treated ever since it came to Rochester. We were most heartily and cordially welcomed at the start; we have been assisted by your fellow-citizens who have participated in our deliberations; we have received every facility in the way of rooms and chambers that we could possibly desire; and now we have received this magnificent banquet. I most heartily thank you on their behalf and my own.

This is the first time I have ever been at Rochester to stay longer than five minutes. I do not take any credit to myself for that, for after seeing what I have seen I am ashamed to say I have never visited here. I have had a conception of Rochester; I have known a great many citizens of Rochester, many distinguished men in my own profession of the law. Rochester has furnished to the bar of the State of New York many talented and distinguished men; great judges, good lawyers. I remember the Seldens, very distinguished men of this place; I remember Governor Church; I remember many other lawyers, and among them that one whom I am sure you must all hold in honor; who during his life made Rochester his home, and who has so lately passed away—Theodore Bacon. [Applause.] A profound lawyer, a most able man, a charming man, full of wit and full of humor; of striking personality and the soul of honor. Such a man is a great possession, and I am sure you are all proud of him. [Applause.]

In one respect I confess I am somewhat disappointed in Rochester. On the many occasions when I have attended in my official capacity the conferences of the Municipal League, I have always been obliged to speak, to a greater or less extent, on the subject in which that League is interested, and in picturing the defective conditions in which our municipal governments have been for a long series of years I have always been able to strengthen and reinforce my arguments by illustrations drawn from the spot. I have visited many cities in which I have been able to point to the city we were visiting as a horrible example of the evils we so much deplore. I was rather counting upon the ability to do the same thing in relation to Rochester; but I found, in going about this city, and observing it and talking with the inhabitants and perceiving the interest they take in municipal affairs, that I could no longer resort to my usual argument. I congratulate you upon the progress you have made in municipal improvement; I congratulate you upon the spectacle you present. It is deserving of all praise, and I particularly congratulate those gentlemen who have been so influential in bringing about those changes, which so admirably show the result of their labors.

So I will not compare Rochester with the other cities of our country; but how would it be if you should compare Rochester with what she ought to be? Why should you not be a magnificent ideal; in other words, a well-governed city? Why should you not present a more splendid

example to the other cities? Possessed, as you are, of so many advantages; situated in this magnificent region; embracing, as you do, a population of the character which you have, and of which I see so many worthy representatives before me to-night. Having all these advantages, why should you not be a still fairer city than you now are? You have not yet achieved all that ought to be achieved, or may be achieved, in municipal government. You can advance much further, and you will find with every effort you put forth you will be more and more rewarded.

But the National Municipal League—I cannot talk much about that, but I can say what it is, if that is necessary. It is an organization, a large organization in a certain sense, not numerically, but in its affiliations. It embraces several hundred organizations having similar purposes in view, in all the principal cities of this country. It has existed some seven or eight years, and its purposes and objects are these: The men and women who compose it thought the time had arrived when our cities should be rescued from the degrading conditions they were under. You all know now, and know pretty well, what those conditions were. They were about as bad as they could be in some places, and bad enough everywhere. They threatened every interest, public and private; they threatened the existence of government itself. These men and women thought it was high time for some effort to be made to help their country; these men and women, who had patriotic feelings and patriotic emotions in their breasts set themselves to work to see if they could not do something to bring order out of this chaos; to see if they could not do something to purify the governments of our cities. They sought the cause of the degradation into which they had fallen, and they found it in the universal subjection of municipal interests to political machines, and concluded that the true remedy was that the people of the various municipalities should declare, in no uncertain tones, that they would exempt themselves from the degrading bondage under which the people of the municipalities had been so long held to the political organizations. I do not speak of this to condemn; I do not speak of it to denounce; it is the fault of all alike. I do not think it is well, on any occasion, to denounce the people whom we think are mistaken; the people who are misgoverning the various cities of our land. They are the creatures of the conditions under which they exist, the conditions which prevail in our municipalities. These men who govern our cities, who look after our streets, our police, our public franchises, are elected to office and controlled by those who owe allegiance, not to the people, not to their fellow-citizens, but by men who recognize only the party or powers that have put them where they stand.

It is these conditions we seek to place before you as fellow-citizens, and direct your attention to them, and we ask you to help us to get to the bottom of this question and help us, as far as you may; we want your assistance in removing these evils.

It is a hard work, it is a slow work, I might say it is an unpleasant work. It may not be accomplished in five years, or ten years, or perhaps a generation; but if many of you would start in it, make progress in it; now a little, more by and by, and still more by and by, we shall achieve something and the results will more than compensate us for what we have undertaken.

What are the rewards? There is one—the consciousness that you are doing your duty. That is something. Still, to a great many people, it does not seem to be a very great reward; it seems small, but there are other rewards. We shall not be elected to office. My hopes for political advancement were a lost cause years ago. We may not put our enemies under our feet in a very pronounced way, much as we would like to, but the end will be achieved and we shall never fail to be rewarded for every step we take.

I have often said to my fellow-citizens at home, "If you want to achieve a really beneficial result in municipal government, it will not be by going into partisan politics, but by arousing a public sentiment which will demand better officials and better government. Our salvation rests in creating public opinion, arousing it, consolidating it, and finally making it so strong that it will be supreme."

See how it works. Seven years ago we had in New York a partial triumph in the election of Mayor Strong. Our city was in a wretched condition then—ill-paved, dirty beyond description. Mayor Strong put at the head of the street-cleaning department a gentleman whom you have heard of—Colonel Waring. It operated like magic. The streets were cleaned almost at once. He demonstrated that they could be cleaned, and kept them clean. Mayor Strong's term passed away and a Tammany government succeeded. Have the streets gone back to their former filthy condition? No; they are almost as clean as under Colonel Waring, and they are cleaned by Tammany men too. In a word, there was a public opinion created in favor of clean streets, and Tammany had to give way to that opinion.

But I am speaking too long. I can only thank you again, ladies and gentlemen of Rochester, for the magnificent reception which Rochester has given us. [Applause.]

DR. BARBOUR: I hardly know how to introduce the next speaker. He is much entitled. He is the Mayor of Morristown, N. J., and therefore rightly deserves the title of "Honorable." He is a Doctor of Divinity, and therefore rightfully is entitled to be called "Doctor." As a gentleman said to me to-day regarding him, "He is a Doctor of Divinity, but he has retired from the practice of religion." Therefore he will tell us something about that, for he responds to the sentiment, "Attention to Public Affairs as a Religious Duty." I introduce to you the Hon. Norman Fox.

DR. FOX: I do not see why a clergyman should not take part in civic affairs the same as a lawyer or physician. Each has his personal call-

ing and each has his public duties. Civic affairs were administered in early England by Thomas à Becket and Cardinal Wolsey and in France by Richelieu and Mazarin, whose careers have been portrayed in such a scholarly and interesting manner by your Rochester historian, Mr. Breck Perkins. [Applause.] And these great churchmen handled political affairs certainly as well as any of the laymen of their times would have done. A clergyman of my acquaintance was a school commissioner in his town for many years—in which there was nothing wrong, for a clergyman may properly be interested in public education, and if a commissioner of charities were to be appointed it would not be out of the way to fix on a man who, as a city missionary, had had occasion to study the case of the poor. My own entrance into civic activity was a little peculiar, for the first position I was called to hold was that of Excise Commissioner. [Laughter.] But even this came about naturally. A minister should certainly be interested in temperance. Now, I had joined in some complaints about the way liquor licenses had been granted, and the next time there was a vacancy on the Excise Board the county judge appointed me. I demurred, but he urged that if the work was in any way an unpleasant one, I might as well bear that burden as any other citizen; and, furthermore, as I had complained that things were not done right it was very unreasonable for me to object to taking a position where I could arrange the matter to suit myself. The office sought the man and the man could not get away. I accepted the appointment, and, as is often the case, found that a needed reform may be accomplished more easily than we have expected. Before long we had restricted the liquor business more closely than it is restricted in any prohibition town in the country, and at the same time the liquor dealers of the better class were satisfied. After two years some of the people wanted to see what I could do with other departments of municipal government and they elected me mayor. Now I do not see why a clergyman as well as a physician or a lawyer should not give some of his time to securing for the people better pavements, better street lights, etc. What work could be more dignified, more thoroughly Christian!

And though a clergyman hold no civic office, though he confine himself strictly to preaching, he can do more than any other man in helping to secure improved conditions in civic affairs. Why is it that elections go wrong? It is because the men of the so-called better class—the men to whom the minister talks each Sunday—are not awake to their duty. They do not vote, or, worse yet, they vote unreasoningly, vote blindly. The men who vote like cattle, vote without knowing what names are on their tickets, vote just as the party boss directs, are largely, if not preponderantly, the so-called intelligent class. Now, if it is wrong to let a man vote who cannot read his ballot, it is just as wrong to let the man vote who has not read his ballot, but is voting blindly, like his ignorant neighbor, the ballot the party worker has handed him. If a juror could be challenged because he had not listened to the arguments of the lawyers on both

sides, why should not a man's vote be challenged if it were shown that he had read the papers and heard the speeches on but one side of the question? The votes of "ignorant foreigners" are no more dangerous than the votes of educated men who vote not by candid judgment but by blind partisanship. Now, the minister in his pulpit can do something to instruct such men.

Here is the solution of the question about politics in the pulpit. It is not the minister's work to give opinions on the tariff or the currency. He knows no more about these things than does any other citizen. He is not an "expert" on these matters, or at best he is but one more good stump speaker, differing from the other stump speakers of his party merely in this, that while they can harangue only six days in the week, he can keep it up for seven. But let him confine himself to the moral duty of the voter to cast a conscientious ballot, and he not only remains on his own peculiar ground, but he can do a service for the right side which the stump speakers and the political pamphleteers cannot do. Let the voters vote conscientiously and elections will go right. Let the minister in his pulpit adjure in God's name each man before him to lay aside partisan prejudice, to study impartially the questions at issue, to form a candid opinion, and he will be a mighty power for good in municipal and national politics.

THE TOASTMASTER: It seems almost ridiculous for anyone to introduce the next speaker to a Rochester audience. Although he has but recently become a resident of this city, he has come to be recognized as one of us. He will speak to the toast, "The Human Factor." I feel honored in introducing Dr. Rush Rhees, president of the Rochester University.

DR. RHEES: In one particular the position I find myself to-night is highly satisfactory, for I am thoroughly interested in the reforms which this League is advocating, and I am honored by the privilege of associating with men who are not only theorists but workers. In such a company I am frankly an optimist. Looked at near at hand, our municipal conditions are full of discouragement; but a comparison with conditions which were common in England two generations ago brings much of cheer. These two generations have wrought marvelous changes in that land, simply because men like those who are gathered here in conference have given their time and thought seriously to the betterment of things which had been found to be intolerable. Like devotion to a like high end will here bring forth good fruit.

I will venture to say a word concerning the human factor in this problem of municipal reform. We hear much of campaigns of education. These seek, I suppose, to spread among the people the idea of what a city should be, and to show what our cities are that they should not be. Such educational movements are altogether healthy, if we do not rely on them alone to effect the betterment of our conditions. Neither men nor communities are regenerated by giving them high ideals alone. It is not enough to awaken a general interest in a proposed reform; it is necessary

to enlist the interests, the personal interests, of all classes of the people in the movement, as something that promises good to them.

I have great respect for one feature of what is called practical politics—I mean the care that the practical politician takes to persuade the voter that he is his friend. The ward heeler, who knows all the men in his ward by name, asks after their families, sees that they are remembered occasionally at Thanksgiving or Christmas, has appealed to their self-interest to keep them in line with his party. His success follows from this appeal to the personal interests of his constituents. He does not forget them when he has secured their votes. He is one of them, and their friend at all times. Herein is his wisdom and one secret of his success. It is easy for us to say that this success follows from appeal to the lower and non-patriotic sentiments of men. The lesson for us is in the fact that the interest of the people in the policies advocated by such a leader is kept alive and when the next election comes around the voters are still with their old friend.

Workers for municipal reform must learn in some way to enlist such sympathy and constancy of support among the different classes of the people. It is not necessary to appeal to their lower self-interest. Men in America have a genius for government. The idea that he is of importance, and his companions are of importance, beyond the mere casting of votes, will appeal to nearly every man, and will furnish a basis for genuine interest in the betterment of the conditions of city life. The idea is too prevalent that reform is something that the well-to-do and educated desire, that they therefore try to get the votes of other citizens, and having got those votes, forget the men who helped them to their success. The battle will be nearly won for better city life when we have joined together in the work for reform active and energetic men of every ward, of many trades—men of wealth and men of humble means; men of learning and men whose only discipline has been that of active life. The improvement of municipal conditions is of moment to all of these; the reduction of waste in the expenditure of public money is important for them all; better health regulations, better tenement-house legislation, more equitable administration of law—these all concern all the citizens. When all classes of the citizens are brought into co-operation in the demand for them they will be secured.

One of the wonders of recent history is the character of the resistance which a few hundred Boers are giving to the forces which England has poured into South Africa to conquer them. One of their commandants has explained the secret of it. Every man in the army counts himself the peer of his commander. If orders are given which he does not approve he offers his criticism and his suggestion. If his plan is the better one it is adopted; if not, he is made to see it. This would be an impossible plan for the organization of a large army, yet it has fine suggestion for those whose aim it is to secure not obedience nor acquiescence, but the interested co-operation of men of many interests and many minds in the one enterprise of elevating our municipal life, and ridding it of the many ills which

now hamper and disgrace it. The human factor is the most important one in the whole problem. The man who votes has a right also to counsel. The final course of action will be more wisely planned if many men of many interests join in making the plan.

MR. BARBOUR: On account of the relentless rules of the railroads and because it will affect one of the speakers, who is obliged to leave early, I will take the liberty of changing the order of the speakers. I will introduce to you the fifth speaker as the fourth. The secretary of the League from the beginning; twice a member of the Legislature of his State; Chairman of the Union Committee on Ballot reform in Pennsylvania and one of those—perhaps *the* one who has most made possible the work which the League has done, he is worthy of commanding your attention this evening. I take pleasure in introducing Hon. Clinton Rogers Woodruff, who will address you on "The Forces Making for Better Municipal Government."

MR. WOODRUFF. *Mr. Chairman, Ladies and Gentlemen:* In reading Dumas' delightful "Dame de Mousereau," not long since, I ran across the following passage, which greatly impressed me. It occurred during an audience between Henry the Third of France and his cousin, the Duc de Guise, while the latter was urging the formation of a great Holy Union to meet and combat the growing forces of the Huguenots. The King was disposed to feel safe because of the forces he had at his command; but the Duke replied, "Men are visible, palpable, mortal. You can meet attack, subdue them; and when they are subdued you can subject them to trial and hang them. But ideas you cannot oppose in that way, Sire. They glide unseen; they penetrate; they hide themselves, especially from the sight of those who would destroy them. Hidden in the depth of the soul, they there throw out deep roots. The more you cut off the branches which imprudently appear, the more powerful and inextirpable become the roots below. An idea, Sire, is a young giant, which must be watched night and day; for the idea which yesterday crawled at your feet, to-morrow will dispose of your head. An idea, Sire, is a spark falling upon straw. There is need of good eyes to discover the beginning of the conflagration; and this is why, Sire, millions of watchers are necessary. It is in order to provide for and direct that watchfulness that I propose to your Majesty that you appoint a chief for the Holy Union."

This is a truth too frequently overlooked, both by the opponents and friends of municipal reform. Both feel that the defection of a worker or the defeat of a leader means the end of the movement. It never will if that movement is based on right ideas. Some efforts deserve defeat because founded on erroneous premises or supported by evil means; but the fundamental principles of righteousness and justice in government can never be completely and permanently defeated and suppressed for all time. They may be given a temporary setback, but sooner or later they must prevail. It is our duty to see that they prevail sooner rather than later.

We are beginning to realize as perhaps never before that we are in this generation face to face with two standards of morality—the standard of the smaller social group and that of the larger social aggregate.

The New York *Independent* described this conflict with great conciseness and aptness of phrase in a recent editorial, which I will read:—

“Every modern nation is composed of political groups that once were small, independent states. Every small state in its day was composed of once independent tribes. Every tribe in its day was composed of insignificant hordes that once wandered as they chose, until, by combination, they were converted into the constituent clans of a tribe. The oldest morality was the loyalty of the members of a horde of kinsmen to one another. To men of other social groups they owed nothing but hatred and vengeance. Long, indeed, were the years that elapsed after the combination of hordes into tribes before men could feel the same degree of loyalty to fellow-tribesmen that they felt to fellow-clansmen. Loyalty to the tribe was a new morality, loyalty to the clan was the old morality. In like manner, unnumbered generations lived and died after the combinations of tribes into states before men could give such loyalty to the state as they felt to the tribe. And finally, in the latest stages, other generations lived and died before national patriotism began to be in some breasts a stronger passion than state or local patriotism. In every part of the world, and in every age, the morality of the larger social aggregate has been the new morality. Its authority has been recognized by the relatively few. The morality of the smaller group, the component social group, has been the old morality, and its authority has been confessed by the multitude.”

The movement for better city government is in its essence the new morality. It places the public good above all else; above personal interest; above factional and partisan interests. Until our people realize that “the newer morality demands that men should place the public good above all other considerations” permanently good city government cannot be established in its entirety and for all time. There must be no cessation of effort until the people realize and act upon their realization that “the good of a part must, if necessary, be sacrificed to the good of the whole; that love of party must be subordinated to love of country; that loyalty to neighbors and friends, devotion to wife and children even, must be forgotten if the public well-being is endangered, or if it exacts the sacrifice.”

The ethical development of our time is making for the permanent establishment of our work, slowly, perhaps, as

“That growth which some, perchance, deem sleep,
Wherewith the steadfast coral stems arise;”

but solidly until it

“Spreads a speck of green
Into a pleasant island in the seas,
Where, 'mid tall palms, the cane-roofed house is seen,
And wearied men shall sit at sunset's hour,
Hearing the leaves and loving God's dear power.”

It is not alone the ethical development of our time, however, that is making for it, but likewise the political. When our national government was founded there was a profound distrust of "one-man power," as it was called. Our ancestors had suffered greatly at the hands of George III in the irresponsible exercise of his unrestrained and unregulated power. They did not perceive that the trouble did not lie in the concentration of power in a single executive; but was due rather to the irresponsibility of hereditary power and the entire lack of adequate safeguards.

A government of checks and balances was therefore established. A premium was placed upon indirection; responsibility was divided up among a large number of frequently elected officials, subject to the unwritten law of rotation in office.

Our state governments followed in the footsteps of our federal government, and our municipalities followed our states; efficiency in government was at a discount. It has taken us more than a century to realize that efficiency is not to be secured through divided responsibility. Now we appreciate the need of a strong executive, and the tendency is towards a responsible president, a responsible governor, and, above all, a responsible mayor. Congressional action is in the direction of placing larger powers and duties in the hands of the President, and likewise of the state legislatures to repose more power in the governor, and practically all the new charters of the past decade have been modeled on the principle of concentrated responsibility in the hands of the mayor.

Potent though the ethical and political factors are, they are of comparative insignificance to the economic forces tending in the same direction. It is not necessary to refer in detail to the great growth of governmental functions. Confining ourselves solely to municipal development, we see that city government is growing in extent and force. Every year it means more to the citizen. Every year it requires the services of more competent officials.

When city government represented an expenditure of \$70,000 per annum, or 69 cents per capita, as it did in Philadelphia in the year 1800, it made but little difference to us how it was spent or who the persons who spent it were. When it represents \$33,300,000, or \$29 and more, per capita, as it does now, it becomes a matter of vast importance. There has been an unconscious recognition of this, and an equally unconscious but none the less certain improvement as a consequence.

Taking the Bureau of Surveys of Philadelphia as an example, we find that in 1800 there was practically nothing corresponding to it, unless we so regard an item of \$400 for "regulating streets," and a further item of \$1,650 for "Centre Square improvements." In 1899 the funds available for the use of this Bureau (including the balances from previous years for unfinished work) amounted to \$5,224,008.36. This bureau has the supervision of the construction of sewers, bridges and subways, of the

abolition of grade crossings and of public improvements like the broadening of Delaware avenue and the construction of the filter plants and the surveying of every piece of property in the city.

The Bureau has a regular force of 231 men, and an extra force of 57 in the water section, which has charge of the building of the filter beds. Since the Bureau was established in 1855 there have been three chief engineers, two dying in office. The present chief has held the office since 1893, and has been connected with the Bureau for twenty-four years. During that period he has occupied practically every engineering position in it, and has risen from the lowest and least compensated place to the highest. The Bureau has had three secretaries, two dying in office. Taking up the district surveyors I find that two have held the office for twenty-five years; one for twenty-one years, who has been connected with the Bureau for forty years; one for fourteen years succeeding a surveyor who held the office for thirty years; another for twelve years succeeding a forty years' incumbent, and so on through the list. The same statement is true of the other employees. In a word, merit and fitness constitute the means for securing and retaining office in this Bureau; and this in substance constitutes good government. The need of a continuous policy for technical work has made its establishment imperative.

The great increase in the number of offices and in expenditures work to the same end. It will not be long before the people will feel the burden of increased municipal taxation, and this will be the forerunner of more economical methods of administration, and these are impossible without an honest and efficient government.

The time is not far distant when competition will become so keen between our various cities and those of Europe that the cost of municipal government will become an important factor in the cost of production. When this time comes, and it is approaching with great rapidity, better methods will be introduced throughout all departments of the municipalities. A city cannot long ignore economic factors and conditions and maintain its supremacy.

The last century was indeed a wonderful one, as Alfred Russell Wallace has pointed out in his entertaining volume; but its progress was almost exclusively confined to the material side of our development. Let us hope that the present one will see an equally great advance along governmental lines. I for one believe we will; but we are not to expect too much too soon, for such reforms have to do with men's opinions and sentiments, and these are formed but slowly. It is our duty to change these. "To excite the desire for higher standards is the true work of reformers."

In the words of Alfred de Vigny:

"Society is a large clock, having three hands, one advances so slowly that one could believe it motionless. It is the mass of men. The other, somewhat lighter and swifter of motion, progresses rapidly enough to permit the eye, with a little attention, to perceive its progress. This is the

mass of enlightened men. But above these two hands is another more agile, and whose bounds one follows with much difficulty; sixty times it has gone the space before it ere the minute-hand has progressed, and the first hand has dragged itself thus far. Never, no never, have I looked at this third hand, this little dart, so restless, so bold, so emotional, quivering, as it were, with a sense of its own audacity, or with the pleasure of its conquest over time; never have I looked at it without thinking that the past has ever had, ever should have, this rapid advance march in the centuries, this advance upon the general spirit of the nation—ever upon that of its most enlightened past."

THE TOASTMASTER: The great legal profession has been twice represented already to-night, by President Carter and Mr. Woodruff, but we have still another member of the Bar with us.

I remember hearing Mr. Choate speak after Mark Twain at a dinner. Standing with his hands in his pockets, he said: "We have had a curious phenomenon to-night; a professional humorist who was funny." Mark Twain arose later in the evening and said, with his inimitable drawl: "We have had another curious phenomenon to-night: a lawyer with his hands in his own pockets." But I think we all know that if that means that the legal profession is characteristically selfish, that the statement is disproved by the large number of gentlemen in that noble vocation who are spending themselves for the public good, and one of them is here—three of them are here with us this evening. The next gentleman to speak is one of the three, Mr. Horace E. Deming, a member of the City Club of New York; one of those who was most active in putting into an unknown grave the Ramapo water bill. He will speak upon the sentiment, "Some Signs of the Passing of the Boss."

MR. DEMING: I must ask you to be indulgent while my voice gets into working order; and I must ask our toastmaster to be as kind to me as he was to himself and not look at his watch too often, because, on account of the condition of my throat, I cannot very well hurry.

During the last session of the legislature I had a talk with one of the members who had charge of a measure of considerable importance to the public. Happening to meet him, I asked him in regard to its prospects. Said he: "The people that want that bill passed must get to work and do something; if they really mean business they must demand a hearing up here; they must get notices, interviews and comments on it in the press, and get the newspapers to print strong editorials supporting the measure; they must exert some influence and pressure from outside, and send delegations up here and compel the legislature to take some action."

Now, note his point of view. Here was a member of the legislature in charge of an important measure, in constant attendance at the sessions of the legislature, having ready access to every member of the committee to which the bill had been referred; these members were his own colleagues. He was able at any time to move the bill, to compel open debate upon it

in the legislature, to secure attention to it from the press. Here was an opportunity for him to make a name for himself, to win public approval, to be a real leader. At least it would seem so to the uninitiated. One would suppose that the measure, being good in itself and of great public importance, he was the very man at the point of vantage to accomplish all that might be needed to secure its favorable consideration and passage. Again and again in times past men have won their way to fame and honor through just such use of their opportunities as members of the legislature or Congress.

Consider for a moment what advantages such a position seems to give a man. His colleagues are the very men who can transform his proposed bill into a statute or made openly responsible for its defeat. The agents of the Associated Press, the special reporters of every newspaper, are at the Capitol. Here is the very forum to create and lead public opinion. What better opportunity would you suppose an ambitious man could desire than, well equipped for his work, to do it before the public eye in the state legislature? What better place to turn on the light, to let the great public know that a serious and purposeful effort was making in its interest? This was Tilden's view, to cite but one example of a man who realized what an opening for public service and personal fame was afforded by membership in the legislature.

Now, the legislator of whom we are speaking did not regard either his duty or his opportunity in this way at all. Nor is his view of the function of a legislator isolated or peculiar to himself. If I should mention his name you would recognize it as that of one of the conspicuously able and public spirited members of the legislature. The sentiments he expressed are those generally held by the present-day legislator,—if those outside will arouse public interest in a measure and compel legislative action, he will support the measure and give it the honor of bearing his name. Our legislators have got in the habit of recording the views and opinions of somebody else, outside. They have lost the power of personal initiative. If you will look back over the history of the past twenty years you will find that the independent individual action of a legislator seeking to impress upon his colleagues the importance of some great cause, and compelling them to fight for it or against it in the open, and winning to his support the press and the public, has become a very rare occurrence. The legislators can still vote, and they do vote as directed. They cannot debate, for the very essence of debate is to change votes, to persuade by good reasons others to agree with the speaker. But if you know beforehand that you are neither to persuade nor to be persuaded, going through the motions of debate becomes merely interesting as a survival of what was once a most important function, just as the dog may turn himself about several times before finally lying down. The dog's ancestors went through these motions to make sure that everything was safe and secure before relaxing their vigilance and yielding to the desire for rest. Their

domesticated descendant often omits this custom. His sense of safety has gradually effaced the old-time precaution. So nowadays our legislators more and more frequently omit even going through the motions of debate and "jam" a bill through without any discussion, or, as I saw on a recent occasion in the assembly, rush through a score or more of amendments to a bill affecting the interests of more than three millions of people amid good-natured raillery over the fact that the members did not know what the amendments were about. They knew beforehand that neither debate nor information would change a vote, and why should they not get some fun out of such a funny situation?

What has been the cause of this changed attitude of our legislators? In very large part, perhaps, principally, the "boss" system is responsible for the lack of individual initiative, of personal independence, among our legislators. That the "boss" is here, we know; and, to my mind, there are hopeful indications that the very completeness of the transformation of the legislature through the control of the "boss" may be a transition to decided improvement in our politics.

The philosophy of the "boss" rise to power is the need of efficiency in government, of having some co-ordinating force which will harmonize the different elements and get things done, which will save time and economize energy. It represents the same co-ordinating and systematizing tendency exhibited in the business world, and which, by successive stages of evolution, has brought about huge consolidations of capital and industry; the coal operatives' union under Mitchell, the coal operators' combination under Morgan are examples. Every heterogeneous organism is constantly seeking some means of co-ordinating its energies. It is the instinct of self-preservation. Its undirected, unco-ordinated efforts would soon make chaos. It is not surprising, therefore, when we consider the extraordinary mechanical difficulties which the form of our government puts in the way of accomplishing any important constructive work as to which there are considerable differences of opinion, that in order of development, and precisely as the country itself developed in population and heterogeneity of interest, came first political parties; then political party machinery, increasing in complexity; then the professional political machinists to manage the machinery; then the politically co-ordinating man, the "boss." You can see this process going on to-day from its first beginning in some new, sparsely populated, mainly agricultural state, to its stage of boss-ship in the older, thickly settled, mainly commercial and manufacturing states. Indeed, you can see the process in all its stages in the same state if you will but examine into the varieties of local politics from the agricultural township to the metropolitan city.

No matter what else the "boss" means, he means efficiency, the getting things done. He responds to a real popular demand for efficient government.

But evolution does not stop. No sooner do you have efficiency in gov-

ernment than the people begin to demand responsibility in the government, responsibility to themselves. They do not want government less efficient, but more responsible. This is the beginning of the end of the "boss." The "boss" is never responsible to the people. He is sovereign, not they. He gives them government. They do not choose him as governor. There is no unity of interest between him and them. They do not feel themselves responsible for him. He does not feel himself responsible to them.

Suppose, now, that we should elect our "boss." An elected "boss" would presently become responsible to the power that elects him. He might even cease to be a "boss." Owing his position to the people, he would feel a responsibility to the people. Our cities are beginning to recognize this, and to favor a mayor with very extended powers. It seems to me that we are doing something of the same sort in the state political field.

The legislature having gradually ceased to be a debating body, having become a body which neither creates nor leads public opinion, and having become more and more a voting body, registering the decrees of an outside authority, since government in this country cannot go on without public discussion, real discussion and debate somewhere, and since the self-elected "boss" irresponsible to the people cannot be trusted properly to give decrees which correspond to or express the results of public discussion and debate—public discussion and debate are very obnoxious, often very painful, to the "boss"—the people are finding other ways both to have discussion and to enforce the results of the public opinion created by the discussion. It is interesting to note how, as the legislators have become more and more the creatures of the "boss," there have grown up outside of the legislature numerous agencies which have undertaken the legislative work of debate and discussion, of creating and leading public opinion, of formulating legislative measures and forcing them upon the attention of the legislature and compelling its action.

My legislative friend, whose statement has been the occasion of these remarks, was right. The legislature has become so in the habit of being a mere recording machine as to important measures, of taking its orders from outside authority, that my friend's point of view was perfectly natural. On the other hand, this very attitude of the legislator's mind has given the governor his opportunity to serve the people. From time immemorial he has been expected to recommend measures for legislative consideration and action, and his personal opinion has been equivalent to one-third of the whole legislature. But until recent years he has contented himself with "recommending," and has sat more or less apart, keeping, or trying to keep, a judicial mind with which calmly to pass upon the merits of any legislative bill which has first passed the legislature. This was the expected relation of the governor to legislation. To formulate measures himself or cause them to be formulated, to shape legislation in the making, were no part of his recognized function. If he did these

things at all, it was surreptitiously and more or less in the dark. A friend spoke for him in the legislative hall or privately to members.

The governor is, however, an integral part of the legislature. He is also the titular elected head of his party in the state. Once in office, he is the representative of all the people of the state, and even as a partisan is under honorable bonds to treat the whole people fairly. Little by little the people have come to trust him, to substitute a growing regard for and confidence in power coupled with responsibility, and to lose their inherited dread of power in office. In our state governments we are beginning to make the elected governor the "boss," and his good name and fame, his political future, are coming more and more to depend upon his sense of responsibility to the people. The conduct of the "boss" has accelerated this change. Evidences of this change are found in successive state constitutions which give the executive more and more power and hedge the legislature about with more and more restraints, and in the changed attitude of the governor to the legislature.

Who is now surprised when the governor openly advocates or openly opposes this or that bill pending in the legislature, or causes this or that measure to be formulated into a legislative bill? And so little by little the governor and the people alike are coming to their own. We are retaining all the efficiency in government which a "boss" can give, and we are gaining slowly in the responsibility of the government to the people who are governed.

And speaking now briefly of the organs and agencies outside of the legislature for the creation and enforcement of public opinion, was it legislative initiative that started or accelerated or really assisted the ballot reform movement? or the original or the present civil-service reform law? or the recent repeal of the charter of the Ramapo Water Company, or the conferring upon the city of New York power to control its water supply, or the concurrent resolution to amend the Constitution so as to exclude from the constitutional debt limit the debt—wrongly so called, since it is a valuable revenue producing asset—incurred by a city for its water supply? Every one of these great public movements was due to no one holding public office. The legislature was performing its function, often unwillingly, as a recording machine. Even the legislative act that called the state constitutional convention was the result of outside forces from people not in office. And the most important amendments in the public interest which that convention made to the old instrument were due to the same cause.

If we now turn to the executive, the special franchise tax law, the recent Charter Revision Commission, the enactment of that commission's report into law, the various corporation tax measures passed at the last legislative session, to what were they due? And to what will be due the rescue of New York's water front from a private monopoly? To the "boss?" No! To the legislature? No! To the action of the executive resting upon

and responsive to an aroused public opinion. Indeed, the action of the legislature upon the Charter Revision Commission's report well illustrates both the power of public opinion, as expressed by those not in office, and the power of the chief executive, as representing that opinion. The legislature inserted many "jobs" in the bill as drawn by the Revision Commission. Under executive pressure, the legislature amended several of the "jobs" out of the bill.

The rise of the "boss," coupled with the legislative loss of initiative, which has converted the legislature from a deliberating and discussing body, representing and creating public opinion into a voting machine, gave efficiency of government. Meanwhile, extra-legislative agencies, to perform the legislative function of creating and expressing public opinion, often actually formulating legislative bills, have been increasing in number and effectiveness; and the elected executive, in marked contrast with the "boss," has become more and more representative of and responsible to public opinion, and is steadily gaining in political power. Thus we are gradually nearing the goal of efficient government responsible to the people governed.

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